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PROCEEDINGS

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FIFTY-FIFTH ANNUAL MEETING

October 1960

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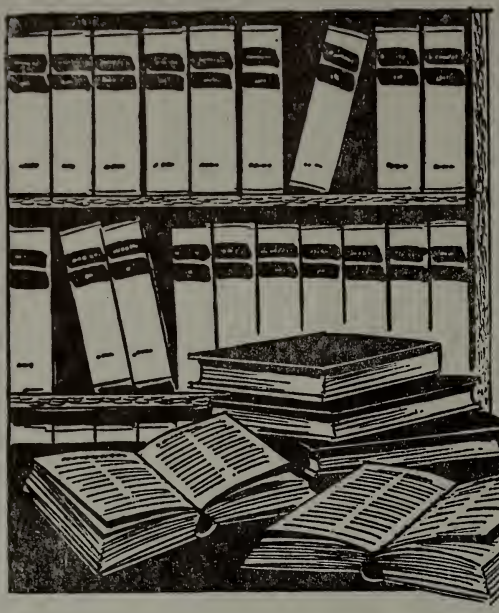

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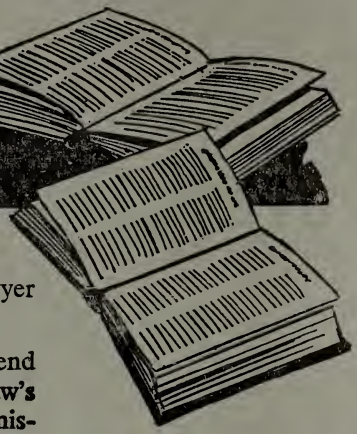

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HUGH N. CLAYTON

Retiring President of Mississippi State Bar

PROCEEDINGS OF THE FIFTY-FIFTH ANNUAL MEETING

OF THE

Mississippi State Bar

Held at Jackson, Mississippi, on the

17th and 18th of June, 1960

The First General Assembly was called to order in the King Edward Hotel in Jackson, Mississippi at 2:00 P. M., June 17, 1960, by Mr. Hugh N. Clayton, President of the Mississippi State Bar.

The invocation was delivered by Bishop Joseph B. Brunini of Jackson.

An address of welcome was delivered by Mr. Sherwood W. Wise of Jackson, and was responded to by Mr. David Cottrell, Jr. of Gulfport.

After the introduction of distinguished guests, President Clayton delivered the following report.

PRESIDENT'S REPORT

*Hugh N. Clayton**

I want to mention two or three things to you, my friends. In the first place some of you have been particularly pleased, apparently, with the innovation we had this year with the panels. About seventy-five days ago I requested these various outstanding lawyers and judges to serve on these panels. Each panel and its moderator worked out its own agenda. Out of the large group of people contacted there was not a single refusal. Two members of the panels changed their personal vacation plans to participate, and only an illness kept Judge Swango from moderating the criminal law panel. I called on Judge Ethridge at the last minute, and he acted as moderator willingly and very effectively. We apologize to the panels for the first session this morning, because of the sound confusion. It was thought there would not be a conflict, and of course there was. We realize that the enjoyment of the discussion was somewhat lessened; we believe the effectiveness was not.

Then this evening at the banquet, the State Bar will officially say "thank you" to certain people who have done things for it, particularly in the legislative program. We have never said "thank you" officially as a standard practice, and I am glad to say that the Board of Commis-

*President of the Mississippi State Bar, New Albany, Mississippi.

sioners on yesterday agreed to make it a permanent feature of our annual convention. So we do have these two features in our convention.

What we have been able to achieve this year has been the result of a team effort, and I mean that very definitely; that is not a cliche. Our legislative program particularly was successful. It is rather significant that ten bills sponsored by the Mississippi State Bar were enacted into legislation, including the bill which will adequately finance this organization for the years to come through the increase of the dues. But, for instance, in addition to that, there was a bill increasing the application fee for non-resident lawyers; increasing the fee for bar examination; vesting in the chancery court additional jurisdiction with regard to custody of children; giving the chancery court additional *ex parte* petitions authority in vacation; fixing fees for commissioners, referees, etc.; providing for the mental examination of certain persons charged with crime; increasing the salaries of the Supreme Court judges; and, amending the statute with regard to limitations on installment notes. A special committee handled the bill dealing with judicial requirements. So these accomplishments were made and effected solely by the efforts of many, many people, and we did have a coordinated team effort whereby everybody worked together.

I know you have often heard, and we have had a lot in *The Mississippi Lawyer* for a long time, that it is the function of this organization to be a service institution. Since the Bar is a "coordinated" bar, our membership is not voluntary, but enforced. Since by law every lawyer in the state must contribute to the finances of this organization, it must justify its existence. Its program and efforts have been made along that line during previous administrations and during the present administration.

Commencing in 1955, we started the program of working on the economic betterment of lawyers' fees. Schedules have been published from time to time, and I am glad to show you now the *Fee Computation and Law Office Management* booklet which has just been printed and will be sent to every lawyer in the state free. It contains information which we believe will be vital and helpful to the individual lawyer and it is a looseleaf book in order that as changes should be made, and new sheets supplied, each lawyer can keep his book current. This will be mailed to you by July 1st. We are particularly happy that as the result of the work of many people, this work, which is monumental and quite detailed, will soon be out to you.

Now, there is another thing I want to say. I detected it yesterday afternoon in the Junior Bar Section, and I am addressing this particularly to the Junior Bar Section, and those of us who now cannot belong to it, since we are a Bar where everybody belongs. I have detected, and others have detected, a feeling on the part of the members of the Junior Bar

Section that they belong to it and their membership or their affiliation with this organization has to be more or less dormant. And I told these members of the Junior Bar on yesterday that they, just as much as Judge Garland Lyell or Mr. Jim Cunningham, are members of this organization. There is no separate membership between the Junior Bar and the Senior Bar, but everybody works and supports the Bar — everybody should — and has a duty, and obligation, and right to participate.

We have certain new challenges to us now, and I am glad to say we do believe we will have continuity of program in the future as we have had in the past several years. David Cottrell and I, and the two immediate past presidents before me, have been working together to try to see that we move forward as a service institution. The pace hasn't slackened, and we become more utilitarian as time goes on. With new money and new dues, it seems to me that there are two particular fields in which this Bar should extend its service. One is to further our continuing legal education. California has a particularly fine program on continuing its legal education; the program is taken to the lawyers throughout the circuit. I envision shortly in Mississippi that we will have institutes in strategic places throughout the state, where the lawyer can learn how to better practice law, how to make a better living, and how to interpret himself and his profession to the general public. A lot of lawyers in the state are worried about unauthorized practice. We have seen the field of the lawyer encroached upon time and time again, and several of our committees, this year have been alarmed about the situation. I believe we will see in the next year or so some studies made, on the local level just as the American Bar Association does on the national level, to determine what can be done and what should be done insofar as unathorized practice of law is concerned.

Then another challenge to this organization, in addition to being of service to its membership, lies in its service to the general public and to society. Some of you may know that I have been affiliated in many, many ways, and over a long period of years, with the National Red Cross. I don't believe I have ever attended a Red Cross meeting, whether it was the Hinds County Chapter or a national convention where the problem did not arise, "How can we tell the Red Cross story?" We have the same problem in the field of public relations in the legal profession. How can we tell the lawyer's story? With the increased revenue that this organization will surely receive by virtue of the change in the law, it seems to me it is a unique challenge to us and to our leadership to interpret to the general public the function and duty of the lawyer and of the legal profession. We are so misunderstood by so many people. It is rather peculiar to me that the average citizen will trust his own lawyer with his life, with what he leaves to his widow and children, with his property and

his possessions, but he will still tell the "old chestnut" about the two men buried in the same grave when he sees the tomb, "Here lies a lawyer and an honest man." And so, we do have that challenge. It is a problem, and I hope we will meet that challenge as time goes by, particularly in Mississippi.

I don't know whether it is a "commercial," whether Carlisle wrote it, or who, or whether I thought it up, but in my mind this morning I was trying to jot down one or two points with regard to this report, and I jotted this down: "The future belongs to those who plan for it," and how true this is my friends, insofar as lawyers are concerned.

Mr. Gibson Witherspoon of Meridian introduced Mr. Whitney North Seymour, President-Elect of the American Bar Association, who delivered the following address.

ADDRESS OF WHITNEY NORTH SEYMOUR

It is a great pleasure for, what Secretary Ickes used to call, a "simple barefoot Wall Street lawyer" to be down with you on this fine occasion. I have had a very good week in the way of introductions. On Sunday I gave the commencement address at Dartmouth and was introduced by my son, who is the dean, and you can imagine how that pleased an elderly father's heart. Tuesday night I spoke to the Baltimore Bar and was introduced by my old friend, Chief Judge Niles; and, today, to be introduced at lunch by my friend John Satterfield, and just now by my friend, Gibson Witherspoon, is a great joy. I think I have done rather better than our friend Edward Bennett Williams did. I introduced him last fall, and he said that he had spoken to a Holy Name Society meeting recently, and the toastmaster had introduced him as the lawyer for Hoffa, McCarthy and Accardi. Later he asked: "How did you happen to pick those three out?" Mr. Toastmaster replied: "They are the only members of the Holy Name Society you have represented lately."

Sometimes people wonder what the President-Elect of the American Bar Association is supposed to do. I rather wonder that too, and John Satterfield will be wondering that. The first thing I was asked to do by the President was to attend the 100th anniversary meeting of the American Dental Association in New York. There, in the grand ballroom of the Waldorf, I heard a speaker looking at 5,000 dentists say: "This is a good place to keep your mouth shut," which seemed to me a very sound observation. Last February, my distinguished predecessor, John Randall, asked me to come over to Cedar Rapids, Iowa, where he lives and speak to his home bar association. I did a little research on Cedar Rapids and found that that is where the great American painter,

Grant Wood, came from. So while we were being shown the town by one of the younger lawyers, I asked if there were any Grant Wood paintings in Cedar Rapids. He said, "Yes, there is a very large collection of them." I expresed a desire to see them, so he took us to the leading undertaking parlor of Cedar Rapids. The gentleman who ran that for many years was Grant Wood's best patron. They have about forty Grant Wood paintings in the undertaking establishment, scattered throughout the entire place; and, if we were to see the whole collection, as we wanted, we had to wait for two funerals to finish. So as one goes around the country on this job, and you are trying to find out what goes on in the local communities, you have some odd and interesting experiences.

Hugh Clayton was quite right, it was in Memphis that the idea of our coming down here was first broached by him, and it attracted us very much. We were not quite sure how we were going to figure it out so that John Randall wouldn't want to come, but that worked out. Anyhow, two things happened in Memphis that encouraged us to try to come. In the first place, we were in the lobby of the Peabody when the Ole Miss Band arrived. I must say, to see the enthusiasm in that lobby—the kind of thing I had never seen before — and at the same time listen to some of John Fox's stories (because we were up in the balcony watching the Ole Miss Band and the cheerleaders, and listening to the stories of John Fox) was as nice an introduction to Mississippi as you could get. Then we went to the game that day. That was the day the regional meeting finished. The temperature seemed to have dropped ninety degrees during the day, and it seemed to be about degrees below zero in the stadium. I don't know whether any of you were there or not. We had been accustomed to rather cold weather ourselves in New York and elsewhere. I sat in the stadium and looked around, and there were all the supporters of Ole Miss, without their overcoats, seemingly unaffected by the cold, the majorettes and cheerleaders out there without any possible sign of chill—bare legs and all—and we decided we had better find out how it was that people got so hearty, how they were able to live in this cold climate and not be affected. That was another reason we wanted to come down here.

The thing I was hoping I could do — but Erby Jenkins isn't here so it isn't quite fair to do it — I was going to say that when it became apparent that the committee had decided that they were going to have such a serious speaker at dinner, in the person of Erby Jenkins, they thought they should have somebody in the afternoon who would rather offset that, and be a little lighter, because Erby's reputation as a serious speaker is nationwide. Having heard him in Memphis, I know what a wonderful, serious speech he gives, but I wouldn't say that in his absence. All I will say, it is a God-send to speak before he does, so you

won't have that conflict.

I am delighted that I am going to have the pleasure of working for the next two years with our old friend, John Satterfield. We have worked together before, we have argued about things occasionally, but for the most part we have worked very closely and always in a very friendly way together, and we will do so in the next two years. He has done an outstanding job for the American Bar Association, and will continue to do it, and I am sure he will have at heart as you have at heart, furthering in every possible way the general interest of the organized bar, and that means the local bar, and the state bar, and the national bar.

It is also a great pleasure to be here with Gibson Witherspoon, and to have seen his home town, where we arrived yesterday. He has been a splendid member of this bar, and a most useful member of the House of Delegates. I don't need to speak about Hugh Clayton. You know what a great job he has done. I have been reading the reports of his committees, and he has had an outstanding year. I know Mr. Cottrell will have an outstanding year ahead. We have had the pleasure of knowing Earl Thomas, and other members of your bar, so we feel we are among old friends, and by the time we go north on Sunday night, I am sure we will feel that the next time we come down here we will have lots more old friends.

We have only been in the state once before, I am ashamed to say, and that was at Natchez when we took the Delta Queen trip ten years ago from Cincinnati to New Orleans. The boat stopped at Natchez and we had the tour of Natchez. It was at that time, as my wife was telling Gibson Witherspoon last night that we first learned about the way you have solved the prohibition problem in this state. It seems to be solved in a very satisfactory way from everybody's point of view. There were some Canadians on the boat, and they asked somebody whether it would be possible to get a drink in Natchez. He said, "Oh, yes, you just ask anyone." They got off in Natchez, and when they came back, they said they had had a very satisfactory experience. They had seen a gentleman on the street and they said, "Do you know where we can buy a bottle of whiskey?" He said, "Yes, just go so and so and ask the proprietor and he will sell you a bottle." They said, "How do we know he will sell it to us?" He said, "Don't worry about that. Tell them I sent you. I am the Sheriff, and he is my brother-in-law."

John Satterfield was out in Portland with me at the regional meeting awhile ago. Broadening the horizons of our friends on the West Coast — very appropriately — he said that when Stephen Foster wrote his great song, he had originally planned to use the Yazoo instead of the Swanee. I didn't doubt that, but I thought I would just get a refresher on that before I came down here. I asked our librarian, in this little law

firm I am with in New York, to check upon it. Here is the memoranda that she gave me, exactly as she gave it to me: "At page 61 of *Stephen Collins Foster* by H. D. Millican, the author stated that Stephen Foster originally planned to use the Pedee River in 'The Old Folks at Home'. His brother, Morrison Foster, suggested the Yazoo, but the Swanee was used, probably for the sake of euphony." The Pedee is just as phoney as the Swanee, so the Yazoo comes out triumphant even as a result of legal research. Well, we are going to Yazoo City on Sunday, I am pleased to say, and I am prepared with some background on the navy yard which was operated there in the early sixties in outfitting the *Arkansas,* and I hope there will be some evidence of it which I can see there.

I wondered, when I was planning what to say here, whether I ought to try to get some good obscure legal topic and deal with it. There is only one I have mastered in recent years, and that is about the Declaration of Arbroath. When we were in England in 1957, out of a clear sky, I was told at Runneymede where we were dedicating the Magna Carta Memorial that I was to make a speech to the Scottish Bench and Bar in Edinburgh, and I had three days to get ready for it. I had spent my life avoiding learning anything about Scotch law. It was supposed to be different, based on civil law, and it seemed too complicated. I couldn't imagine I would ever have any use for it. But I had three days to get ready, and I did a little research and talked to a few people around London. I found that the Declaration of Arbroath was the Scottish Magna Carta which was signed in 1320, 105 years after Magna Carta, so I thought I could perhaps deal with that a little bit. I said, facing this very impressive group of Scottish judges and barristers in wigs and gowns in Edinburgh Hall, that since we had just presented the memorial to Magna Carta, it seemed to me right that we should present a memorial to the Declaration of Arbroath. As it had been signed 105 years after Magna Carta, we ought to present our memorial 105 years later. That gave us some time to study the project. When I got back, I said I was going to ask the American Bar Association to appoint a committee to study the matter, so that when we came back three times later on visits thirty-five years apart or a total of 105, we would be ready. And, we would study the place to have the memorial, because there was a little uncertainty about where the Declaration had been signed. Also, we would want to know how the stone in our memorial stood up, and whether to use the same kind of stone; and, if the Scots would appoint a committee, we would work together over the years. When I got through, somebody heard one of the Scots say, "You know, I was interested in what that fellow Seymour said. The Americans are supposed to be very impetuous, but he sounded quite deliberate." Well, I finally decided that selecting a particularly obscure legal topic would be un-

desirable, because I was reminded of the old story of the little girl who got a book on penguins. After she read it, somebody asked her how she liked it. She said, "You know, I have learned more about penguins than I wanted to know."

I am very glad that you are concerned, as we all are, with the public relations of the bar. Obviously, some greater understanding of what we do and what the courts do is desirable. I should think it was fairly clear that our basic problem is to explain the traditions of the bar, because the real function of the bar has not changed very much. When we are loyal to our great traditions, and we live up to them, the public, if it understands the traditions, understands what we are doing. It is fair to say that some explanation is often necessary, and the question of good public relations depends a lot on the point of view about things. I want to illustrate that by something I came across recently. You are aware of the fact that the Postmaster General brought a proceeding to ban a book called *Lady Chatterly's Lover* from the mail. There was a case in New York, in the Southern District of New York, in which our friend in the College of Trial Lawyers, Judge Frederick Bryan, decided the case in favor of *Lady Chatterly's Lover*. Somebody said his decision was better than the book, which I think is probably true. But there was a book review of *Lady Chatterly's Lover* which appeared in *Field and Stream*. I happened to get hold of a copy of it the other day, and on the chance that you missed this review, I would like to read it to you. It is very short, but I think it shows that it is your point of view which is so important about these things. This is the review of *Lady Chatterly's Lover*:

> "Although written many years ago, *Lady Chatterly's Lover* has just been reissued by Grove Press, and this fictional account of the day by day life of an English Gamekeeper is still of considerable interest to outdoor-minded readers as it contains many passages on pheasant raising, the apprehending of poachers, ways to control vermine and other chores and duties of the professional gamekeeper. Unfortunately, one is obligated to wade through many pages of extraneous material in order to discover and savor these sidelights on the management of a Midlands shooting estate, and in this reviewer's opinion this book cannot take the place of J. R. Miller's *Practical Game Keeping*."

I guess that is true.

Now reference was made to the fact that there are some "old chestnuts" about lawyers. I don't think we really mind the good-natured jokes about lawyers that have been going on—well, I guess—since there were lawyers. The things we don't like are the observations which mis-

represent the nature of the profession, or which are said maliciously. Now the other day I came across something that I hadn't read before, which is an observation about the situation of lawyers in New Hampshire just before the Revolution. Senator Norris Cotton included a clipping from a New Hampshire newspaper to his constituents awhile ago. This contained a sort of new twist on the matter. I don't mind it, and I don't think you will. Perhaps you would like to see what the New Hampshire people were writing in those days. This was just before the Revolution. It comes from the *Grafton County Gazeteer*. This is what the *Gazeteer* said:

> "We have a county of over 3,000 square miles, a population of 6,549 souls of which 90 are students at Dartmouth College and 20 are slaves. We have 25 incorporated towns, all in a thriving condition, including 14 grist mills, 5 saddler shops, 7 millwrights, 8 physicians, 17 clergymen and not a single lawyer. For this happy state of affairs we take no credit unto ourselves but render all the glory to God."

Now, isn't it clear that when the bar does live up to its great traditions, its public relations problems are at a minimum. Therefore, the problem is to try to see that it does live up to its greatest traditions, and then try to make sure that the public understands its traditions.

I have been doing a little reading lately in the writings of Elihu Root, who was one of the great Presidents of the American Bar Association, President of the Association of the Bar of the State of New York, and also head of the Carnegie Endowment for International Peace of which I now have the honor to be chairman. He was one of the great lawyers of the United States and made a speech called "The Independent Bar" before the New York State Bar, in 1912. If you will bear with me I would like to read you a paragraph or so, because it states the basic position of the independent bar, which we also deeply believe in, as well as I have ever seen it stated.

> "There is one thing which above all others has seemed to me to make the advocate of essential value to the preservation of liberty and the maintenance of justice, and that is that he fears not the face of power. With all our shortcomings, with all the wide variation of character, and the many differing degrees of ability and force which are to be found in an association of lawyers like this, there is one thing which among all the lawyers of America we are sure to find and that is, that for the weakest, for the poorest, for the most unnoted and un-cared for clients, we fear not, not one of us, not the weakest of us, to assert rights against all overwhelming power whatever. So long as there exists in a civil community a great body of men who have that characteristic, liberty cannot die. There is a

reason for it and the reason is that not alone with us but through us the community in which we live, throughout all the people who ordain the laws that we seek to enforce, whose protection we invoke, whose mandates we assert — throughout all the people there exists a deep, and I think an ineradicable sense of the supremacy of justice — Justice dependent upon no whim, Justice dependent upon no impulse or fancy of a ruler, or passion of a majority, Justice which is a covenant between all government and the humblest citizen who is governed. And when we speak in the name of justice as against whatever overwhelming tide of public opinion of the moment we are invoking a power that lies beneath, that outlasts, that is superior in its control and more sacred in the allegiance that it commands, than any political, or social, or personal desire among our people."

Now I submit that this tradition of the independent bar, which we all so deeply respect and agree with, is one of the things that we must have the public understand more clearly than it does. The public understands that when a convicted criminal is awaiting execution and is in the penitentiary, the doctor can go and perform any operation on him that is needed, without any question. The minister can go and administer to his spiritual needs; but, they don't understand fully enough why it is that he must be represented by counsel, and that counsel's function is not to judge but to see that his rights are adequately asserted. I submit that this is one of the basic things that we must always be trying to have the public understand.

I think perhaps it is true, as I noticed the distinguished representative of the Junior Bar said here yesterday, that it is a little more difficult to recruit some of the ablest young men for the bar than it was a few years ago; that there are some of the able young men who are not coming to the bar, who would have come before, and I think this is a problem that the bar must face and the law schools must face. If it is true that some of these good boys are not coming to the bar, perhaps it is because we do not have adequate facilities to give them advice before they choose their profession; and, I wonder whether the bar, the state and local bars primarily, ought not to make sure that the pre-legal advisors in the colleges, and perhaps even in the high schools, are people who really understand what the bar is, about what the profession is today, and preferably that we have practicing lawyers available to talk to these young people and encourage them that it is still a great profession with great purpose, and that there is no need to turn aside in favor of other activities and for more security or whatever cause.

Now I think another thing that we ought to think a little about is, can we vouch on any of these problems the lay leaders in the com-

munity; that is, the bankers, the newspaper editors, and clergymen, and others who ought to be concerned with the problems that we face in the administration of justice, who ought to be concerned with whatever organization of facilities we need, whatever changes of statutes we need. I congratulate this association on the wonderful legislative record that it has had in the past year. If it is possible — I don't know whether it is true here, but it is certainly true in some places — a strong lay committee, understanding exactly what the problems of the profession and bench are, might be able to add some strength. I have been rather hopeful that we might, in the Boy Scouts and Girl Scouts, for example, give an award in law which would be made on the basis of having these young people see the courts in action, talk to lawyers, and talk to judges, and get a feeling for what the administration of justice is about. I am rather hopeful that something of that kind can be worked out.

Now, basic to all of these things, of course, is the constant strengthening of the organized bar. I regard this as the greatest single need for the local bars, the state bars, and the national bar. I do not think it would be fair to use this occasion primarily to try to ask people to get new members for the American Bar Association, although I hope that the people will join in larger numbers than they are joining now. What I want to emphasize is, that we ought to try to make it a matter of course that every lawyer treats it as a part of his obligation to belong, and take an active part in the state and local and his national association, because it is only through membership in all three that he can adequately contribute his voice and wisdom to the several communities that they serve. It is through the local bar primarily that things of local interest can be effected; it is through the state bar primarily that things of statewide interest can be effected; and it is only through the national bar that matters of national interest can be effected. For example, the Jenkins-Keogh Bill, or its substitute, is now approaching passage—we all hope it is. If so, that is a direct result of the catalytic activity of the American Bar Association, in cooperation with state and local bar associations and other groups. But for the activity of the American Bar Asociation, it would not be anywhere near where it is. Similarly, when we got federal judicial salaries increased a few years ago, it was the activity of the national association that made that possible. I don't need to remind you how many other things can be accomplished, including having the voices of the lawyers on different sides of important questions heard, only through representation and expression through the national organization.

Now one of the great programs that has caught the American public imagination in the work of the American Bar Association in the last couple of years has been the program known as "World Peace through

Law." That program, as you know, began by having a series of conferences around the United States, with the idea ultimately of having some conference of lawyers from various other countries, heading up if possible to an international conference at which some effort would be made to find whether there could be any common ground between the lawyers for the improvement of the adherence to the rule of law. Now, I recognize that there are many different opinions about these things — I think we all do — but there is a kind of tide running under the surface among our people and people, certainly, in the free world generally, that shows a hope that the lawyers can do something about it, and it is right that every single inch of the ground should be tested. It is true that we, as lawyers, are inclined to find difficulties for every solution and, therefore, we have to be careful about not being too pessimistic about it; and it is right that we should not be over optimistic of it as a public relations operation, but it is an area in which the public looks to the lawyers to try to do something, if possible. Fortunately, this movement is still rol ling, and the committee of the American Bar Association is working diligently to plan ahead. Probably the plans will take so much time that John Satterfield will be President of the American Bar Association before any regional meetings can be held, and it will be possible for me to sit back and think what an interesting stamp collection he ought to be able to get on some of the travels he is going to have to take in that regard. But, in any event, here is a movement in which the lawyers are looked to for leadership. Whether they can provide it or not, I don't know, but I think they can, and if they do, John himself will have a great responsibility for that leadership.

I want to mention several hobbies of mine in this field, which are not part of the program of the American Bar Association, but things that I would like to see us accomplish and I wonder whether any of you might be interested in them too. I think the courthouses of this country, especially the beautiful old courthouses, have been unnecessarily neglected as a source of increased pride in the communities and increased interest in our local history. Every courthouse that has stood in this country for fifty years or more has had some great trials and some great events, some great judges and great lawyers, and some have participated in some great anniversaries of the community. I think if the lawyers and judges worked together to make those courthouses a more significant part of of the life of the community, it would be a fine thing. We have been doing something about this in New York State, where we have some very beautiful courthouses, especially in upstate New York. We have been having celebrations on the one hundredth anniversaries of the erection of these courthouses, and our whole communities are taking a great

interest in it, and I don't see why that shouldn't be done here. I am ashamed to say I dont' know the courthouses well enough to know how many of them would qualify for this, but I am sure that many of them would.

Another part of this thing that I think would be interesting to explore is, I believe that in every one of the county records, in every one of the clerk's offices, could be found — if someone were interested in doing it — very interesting legal papers, involving the participation of the great lawyers and judges of this state in the past. They ought to be taken out, and exhibited in cases in the courthouse. I think every courthouse that has such records ought to have a case with a revolving exhibit, showing signatures and accomplishments of the great lawyers and judges. One of the things that makes me think it is a great area for activity is the fact that in New York we found recently that the Alexander Hamilton legal papers had never been collected, and they are now in the process of being collected; and, in the county courthouses in midstate New York, there are Alexander Hamilton legal papers that have never been examined by anyone. I cite that only as an example.There must be lots of things of that kind in this great state. I should think in every clerk's office there must be somebody to whom legal history would be interesting, who might be induced to do something of that kind.

Now, finally, another thing I would like to see tried is an American version of the English practice of having a religious ceremony in connection with the opening of the courts. Those of us who have been in London in early October, and have seen that ceremony in Westminster Abbey, where the English Bench in wigs and gowns, and the English Bar in wigs and gowns, and the Solicitors in a small delegation go to a ceremony in the Abbey, and then go afterwards to the courts and open the courts, will remember what a great thrill it gave anybody who saw that occasion. The old practice was that, between the ceremony at the Abbey and the ceremony at the courts, the Lord Chancellor used to give a breakfast in which he served, according to the old records, burnt and brewed wine and cheese and sandwiches, and things of that kind. Now he serves beer and sandwiches, I believe, but the tradition is very much the same. Originally they used to proceed from the English court by mule down to the Abbey for the purpose of this, but the judges got a little bit stiffer and didn't want to ride mules any more. They finally began riding carriages, and in 1652 the Lord Chancellor decided that it would be more sporting if they got the judges on horses, and so I believe they tried to do it on horses until a very distinguished judge was thrown, and the result was that everybody was so worried about what might happen to the judiciary that they went back to carriages. Now they don't even use carriages any more, but the tradition of having this ceremony

emphasizes the fact that the administration of justice is not just a matter of dollars and cents, but it is a part of a great plan; and that the judges, and the lawyers, and the jurors and others, however much sometimes it may seem their activity is merely mundane, they are really carrying out a part of God's great purpose for mankind. I think it would be useful. In New York — you can hardly believe this — but at Trinity Church we now have an annual ceremony which is attended largely by the Protestant and Jewish members of the bar, but some of my Roman Catholic friends got permission to come. They have their own great mass, in connection with the opening of the courts. It is a very simple thing, where there are downtown churches that agree on some rotation of the ceremonies, and I think the ceremony which the judges, and the lawyers, and the jurors and the public participate in greatly adds to the sense of pride which the community has in its courts.

Now, Hugh, it has been great fun to be here, and my wife and I took forward very much to hearing the very serious talk which Erby Jenkins is going to give tonight which will tend to average out this trivial talk that you have heard this afternoon, and we look forward to meeting just as many of you as feel inclined to have a word with "a simple, barefoot Wall Street lawyer" and his wife while he is here.

Thank you very much.

The convention voted to make Mr. and Mrs. Whitney North Seymour honorary members of the Mississippi State Bar.

SECOND GENERAL ASSEMBLY
SATURDAY, JUNE 18, 10:30 A. M.

President Clayton introduced Mr. John A. Travis, Jr. of Jackson who introduced Mr. Lou Ashe of San Francisco, California, the President of NACCA, who delivered the following address.

NEW SOCIOLOGICAL CONCEPTS IN THE LAW OF TORTS

Lou Ashe

I would like you to know that I am grateful to be in Mississippi, where men have a great and abiding love for humanity. I am acutely conscious of the caliber of our audience today. I have a little study high on the slope of a hill in San Rafael, California. Looking southeasterly through the valley, I can look up to the beautiful mountain called Tamalpais, or the Sleeping Lady, and a little further to the south and east, to the majestic grandeur of our Golden Gate. May I suggest to you that from this vantage point perspectives refuse containment within

narrow perimeters, and perhaps the thought I have to share with you will transcend today's so-called strict "party lines."

It is a matter of great personal pride to travel some four thousand odd miles to spend but a precious fifty-two or fifty-three minutes with you, and this is particularly so because, studying the history and tradition of your own bar, I am conscious of the fact that I am in the presence of men who share with me a cherished philosophy that the most important work of man on earth is to be of service to his fellow man, and that I am really in the presence of men to whom Webster's words, "Justice is the greatest interest of man on earth" are of tremendous and real value. In a country governed by law, glorified with the heritage of human freedom derived from the nature of man himself, there can be no higher dedication than that of achieving justice; and, in our fields of human endeavor, I think you will sense with me that there is no achievment quite so sublime as the human rights preserved; and, without the majestic sweep of the law, this magnificent country would grind to the catastrophic halt of the funeral cortege at the entrance to the cemetery, waiting to receive the remains of a civilization destroyed. Mark you, gentlemen, that although our predilections, our personal economies, and our freedom of choice have placed us at one end of the counsel table or the other, I have sensed at this meeting, as at many others, how little these professional distinctions affect the hospitality extended or the sincerity of the participants in sharing their accumulated intelligence and experience.

Long ago, NACCA's workshops, seminars, forums, lectures and state and national conventions were thrown open to all who would come and learn with us. We found that we needed lawyers' schools as well as law schools. For these are the catalysts, gentlemen, which serve to cement groups within a general bar. Programs like the one you have had today, which are distinctly of a different type, make us realize, through our representations may take us down one road or another, all these roads emerge at the civic square where stands the courthouse, symbolic of justice; that we are not in effect a divided bar, save as we permit some loose thinking people to divide us and to segment us and, I assure you, any bar which ostracizes by act, deed, inference or implication any group within it, is one that suffers. We are neither plaintiffs' lawyers nor defendants' lawyers; we are neither poor men's lawyers nor rich men's lawyers. We are men, members of a noble profession, engaged as vital contributors to, and persons concerned very deeply with, the administration of justice.

Some of us lament nostalgically the passing of the kindly medics, the general practitioner who worked about his incessant labors. Impoverished by his patients' pernuriousness, he was yet the midnight hero riding abroad to relieve Johnny's tummy-ache or to take care of a foolish un-

timely stork. We have cause for a few lamentations, gentlemen, in our own blessed profession. Most of us young "old-timers" know that in the grand and glorious annals of the Bar, it has been through singing solo that our men of mark have gained their strength and their courage, their color and their character, and now, less and less in this great profession of ours do we find these solo singers. As one justice put it recently, "More and more voices are being raised in institutional choruses where the organizational lawyer is fusing into an organizational man." I know men of excellent character, possessed of highly specialized skills in the solution of intricate problems of the law, who wonder what all my shouting is about. They have never really known the unceasing excitment of the practice of the law, the identification with another human being as his spokesman, as his champion and his friend. They have never known the hours dedicated to understanding another's most intimate life, and to the perfection of techniques and the intelligence to project his future to twelve strangers that justice may be done.

You ask the average person to conjure up his characterization of a lawyer, and the majority will picture him as the trial lawyer. Long before the perplexities of modern torts, long before the broker or account experts, the building and loan associations' legal eagles, the labor relations specialists and the corporation counsel, there was the man known as the trial lawyer. We have many, many specialists in law, just as medicine does. Medicine has its pathologists, its psychiatrists, its neurologists, and — he at the narrower end of the speciality — the proctologist. We lawyers now have specialists in our profession who, once out of law school, never see a law book. They are more familiar with stocks, bonds and mining and oil reports than the law-reports, and the nearest they ever get to a court house is when they accidentally walk through civic square. And, of course, there is always the probate specialist who reads, even before the financial pages, the obituary column. Concerned certainly, that he may have lost a friend, but alas, gained a client. And I am reminded of a probate judge sitting just the other day, who was listening to the sixth most distinguished member of the fourth most distinguished firm ask for ordinary fees, extraordinary fees, extraordinary costs, extraordinary fees. He was just getting up a head of steam to ask for extraordinary, extraordinary fees, and the Judge said, "Pardon me counsel, you are confusing the Court. Are you the attorney for the estate or one of the heirs?"

Even as I speak these words, I realize with a great yearning how ill equipped most of us were when we left our law schools. Throughout America today very few of our institutions of learning are bringing back into the law schools the great trial men of our bar to share the techniques of our profession with the budding barristers. We are beginning to realize as we watch our courts, the pressing importance of making available to

the young lawyer the many tools required for the practice of law. Although our American law schools, in the development of students, are managing to equip them with abilities to handle the most intricate legal problems, we note emphasis on the law and under-emphasis on the lawyer. Wasn't it the late Justice Arthur Vanderbilt of New Jersey who said, "Advocacy is not a gift of the gods. In its trial, as well as in its appellate practice, it involves a strict art." And here we have been blindly assuming with disastrous results that every student is born a Webster or a Choate; and, it seems to me, gentlemen, that while the scholarship of the Bar has improved, the art of advocacy is in a state of deterioration.

It has been said that advocacy is the ultimate weapon of justice; that it is the essence of human freedom. At a vantage point — now some thirty years out of law school — it is sad for me to contemplate that this very vital art, the art of advocacy in the courtroom, is, save with few exceptions, one of the most ignored specialties in the modern law school today. Even in the days of trial by battle, litigants sought to choose men armed with strength to assert the client's cause. Admittedly, although the conflicts of the court room are more subtle, it is yet *the* place where litigants must have counsel equal to the task.

Modern trial practice requires specialists equipped to undertake intelligently and with precise appreciation the multiple problems of clients in American courts. It is no longer possible for any but the tutored, and those specially trained, to contend upon planes of equality before judges and juries. America, gentlemen, is woefully in need of a new generation of young men with heart and courage, and I might add, with an ability to work unceasingly in order to assure equality of justice to this country's major civil litigants. This also involves the courage to fight for principles without regard to remuneration, and " even participation in conflicts upon which all do not smile so sweetly," for ultimately it is in the trial of a lawsuit where the total end product of the great mass of law covering every field of human endeavor finds its expression and interpretation. It is here that the law lives and breathes and its wisdom, or the lack of it is bared for all to observe. It is here that life is either granted or denied; it is here that we are permitted to determine whether the constitutional guarantees have been observed or not, and whether in fact a man is innocent until proved guilty, and as it relates to our most intimate concerns. It is here and here alone after all negotiations have failed, that twelve modern jurors, often in a few hours after long weeks of trial, determine the entire future economic life of a devastated wage earner or a surviving family.

It is the courtroom which is the arena, the sanctuary for the preservation of human dignity. Without it surely, gentlemen, man would descend into the barbarous battleground where might makes right and

where the mace prevails over honor. The courtroom is civilization's monument to order, to dignity, and to justice, and we have discovered that there is neither honor nor dignity in full preparation for the task of presenting another's cause in American courts. Behind this simple statement lies the importance of maintaining continuity in the development and inspiration of the young barrister to his job ahead in the courts, and I have urged that there be a national rolling up of scholastic sleeves, and if stumble we must, that out of this stumbling there will emerge some achievement, some new resurgence in the precious art of advocacy.

It has been an exciting adventure for us in NACCA to inspire the young lawyer to the importance of his role. Thousands of young men, as well as mature practitioners, have taken an increased sense of pride in their ability to be good trial lawyers. While there still remains an adversary system in our American courts, there is a stark necessity to place at either end of the counsel table men conscious of the fact that the trial of a lawsuit is no longer a battle of wits but a testing ground for the demonstration of fact. We are through with trial by ambush. Modern trials require advocates so imbued with their tasks that they are willing to sit literally at the feet of engineers, scientists, doctors, and others, and to reach out and grasp at every delicious morsel of learning. Humbug, oratory, the Ivy League suit, the charming personality, all of this will no longer do, for the modern juror has, through the efforts of accomplished trial lawyers, been conditioned to accept nothing less than the demonstration of fact.

And now let me turn to the subject of *New Sociological Concepts in the Law of Torts*. I shall keep my eye on the wandering second hand as we consider some of the new philosophies of our American courts and the extension of liability in many fields of the law's concerns from the child who is blinded by the inadvertent sweep of a paint brush across his eyes, manipulated by his very father, to the guest in the automobile who is injured when he strikes the ragged edge of an ash tray. Our modern courts have envisioned simple justice and concern for the individual in declaring liability to exist in each of the many cases I may have time to cite.

You recall the words of Mr. Justice Holmes who said, "In moving waters there is life and health and in stagnant pools decay and death." And our own beloved Roscoe Pound, who is now editor emeritus of our NACCA Journal, stated, "The law which is to govern life must be able to change with the circumstances of life which it is to govern." This is happening, and I bring you evidence in the decisions we shall discuss. It will be clear that the American manufacturer is being forced to re-evaluate and to re-appraise his manufacturing testing methods so that his product, whether it be food, automobiles, Coca-Cola, or what else, when it reaches the ultimate consumer will be something that aids in the enjoy-

ment of life rather than an agency for injury to the human being. Competent legal observes of our times have with great acuity visualized the undeniable and now at times irrepressible tendency of the American courts to place liability upon manufacturers and distributors of defective goods.

In *Escola v. Coca Cola Bottling Company,* 24 Cal.2d 453, 150 P.2d 436 (1944), which we were privileged to present to the California courts, it was Mr. Justice Traynor who set this theme for the growing concept in American law. In these cases he said, "The manufacturer's liability was his negligence in the manufacturing process or in the inspection of component parts supplied by others." (I will try, as I go, to divide the responsibility based on negligence and the responsibility placed upon implied and express warranties.) The Traynor theme is this: "Public policy demands that responsibility be fixed wherever it will most effectively reduce the hazards to life and health inherent in the defective products which reach the market." He stressed that it was to the public interest to discourage the marketing of goods and products having defects that are a menace to the public. He added, "It is to the public interest to place the responsibility for whatever injury they may cause upon the manufacturer who, even if he is not negligent is responsible for its reaching the market; and, however intermittently such injuries may occur and however haphazardly they may strike, the risk of their occurrence is a constant risk and a general one against which there should be constant protection."

I recall as a boy working in an old furniture store in Boston, and it was Mr. Hoolihan who said, "Hoolihan stands behind every bed he sells." This is a form of direct warranty but there is simple justice in this statement and today we have found that so far as food products are concerned there is no question of liability. In *Klein v. Duchess Sandwich Shop,* 14 Cal. 2d 272, 86 P.2d 858 (1939), Mrs. Klein made one simple mistake. Her husband decided to bring in some sandwiches from the Duchess Sandwich Company. She bit into what she thought was a deviled egg and instead she had maggots for lunch. Our court was faced, as late as 1939, with this problem: was there privity of contract required between Mrs. Klein, the ultimate consumer, who did not buy the sandwich, and the remote manufacturer of the sandwich itself? Was privity required? Up to that time California had not made that decision. The theory of *Klein v. Duchess Sandwich Shop* set new law in motion throughout the United States. Multiple cases throughout the United States have set down the simple rule, that if you are the manufacturer of food products, you are liable to the ultimate consumer, and the question of privity is out the window. The California court adopted a number of federal cases in coming to that conclusion.

There were times, as Mr. Roberts has told you in referring to the Coca Cola cases, when these cases were defended on the theory that it was impossible to get a mouse into a bottle. Now experts abounded pointing to the utter impossibility of such an event. Of course the jury was free to believe that that which the experts said was impossible was quite an easy task for the fraudulent plaintiff who managed in some fantastic way to get the mouse into the bottle, but armed with conviction, it is not merely enough to hold up the bottle to the expert and say, "Sir, what is this?" He explain, he can theorize, he can rationalize until he is blue in the face, but the cold simple fact is that there is a mouse there, and that the mouse is in the bottle, and common community sense may reasonably conclude that someone somewhere in control of the instrumentality was negligent. Of course, there is always the statistician who may be introduced at these trials, who, with affidavit type of face and Brooks Brothers suit, will tell you while looking up to Heaven for inspiration that once in every 30,462 bottles a mouse will get in a bottle, even in the face of the highest degree of care. Besides, how much can he drink? Of course, you faced up to that in Mississippi long ago in *Pillars v. R. J. Reynolds Tobacco Company,* 117 Miss. 490, 78 So. 365 (1918). There is a case where, when the thing spoke for itself; it spoke not in the hushed tones of innuendo, but it screamed out loud. You remember what it was about. This is the case where a distinguished Mississippi gentleman opened his mouth and put somebody else's foot in it. "We can imagine no reason why, with ordinary care, human toes could not be left out of chewing tobacco," and it told the manufacturer of that tobacco, "It seems to us that somebody has been careless."

The law of warranty has been growing rapidly. Recently, in Texas, the courts looked at the food cases and held that the Texans were entitled to this protection. "Unless those who package it," said the Texas court, "and those who supply its essential ingredients supply the additives fit for human consumption, failure of either of these imposes liability."

Now, turning rapidly to some of the keynote cases in the United States. Take the case of Miss Susie Zilch, who was intrigued with the idea that someone had produced a face cream so radically different that it would cause a metamorphosis of even her unattractive face. She usually comes into your office fresh from the plastic surgeon. She has pock marks and erosions all over her face, and she comes usually bearing a little tube upon which there are specific representations of the great character and quality of the merchandise inside. It speaks in rapturous terms of a peaches and cream complexion. Susie Zilch tried it and failed, and now she comes to you as her lawyer. Well, maybe Susie is a mythical character, but not so Miss Rogers of Cayaga County, Ohio, 167 Ohio State 244, a case of first impression, and a leading one in the United States. This was

a young lady who believed what she read on the Toni package, which you recall is the type of hair-waving lotion which any amateur can use to get professional results – so good, in fact, that you can't tell which twin has the Toni. The timing was very bad in this case. As she removed curlers, after putting on this Toni shampoo, the boy friend came in just a bit early. He took one look at her and said, "God night, Baldy." Now, this is an important case. The question was, was there implied warranty? Was there an express warranty which ran to this lady? Could she rely on the express warranty on the package and what she had heard of this product's ingredients on television? The court said, "The precise question is, can the ultimate consumer of a product bring suit directly against the manufacturer?" And it was here in this case that it was said she could. This learned Ohio court hesitated not, in extending the rule to cover cosmetics and other preparations which are sold in sealed packages and designed for the application to the human body.

All of us know that every once in awhile you get the sniffles. So did Mr. Martin. On the way home this gentleman, Mr. Martin, who later became important as the plaintiff in the case, stopped at his favorite club - - -he hoisted three or four and was feeling no pain, but he still had the sniffles and the old-fashioned remedy just didn't do the job. So he went home and opened the door of the little bathroom cabinet. He went through a lot of pills, little liver pills, Mother Sill's Seasick Pills, aspirin—and he kept discounting them in his mind, until finally he came to Baume Ben-Gay. He read the directions. It said to soak the chest well, rub it in, open the pores, let the fumes come up, inhale, clear the head—kill the cold. So he got into his pajamas, soaked his chest, rubbed the Baume Ben-Gay in, leaned back on his pillow, and probably watched television for awhile. He thought, "Well, just one more cigarette before I go to bed," and he stuck the cigarette to his mouth, and he lit the lighter and Bomb! Ben-Gay! Question: was there a jury question here? Was this injury a foreseeable risk of the manufacturer? The Court in *Martin v. Bengue, Inc.,* 25 N.J. 359, 136 A.2d 626 (1957), held it was, and that a jury question was presented as to whether there was sufficient warning to Mr. Martin regarding the volatile character of the created fumes, and whether the manufacturer had discharged his obligation to the ultimate consumer. Thus we come to questions of foreseeability and failure to warn.

Foreseeability is a new concept of American law that has taken on a specific meaning and significance. We have been rounding out these contours, as it were, of suppliers' liability for failure to warn, and today we find that foreseeability has developed a new definition in the law. Foreseeability, the courts say, is not an inelastic, artificial, rigid or mechanical formula. In short, foreseeability is not to be measured with the 20-20

vision of hindsight, nor by the narrow forecast of precise expectability or by notions of what is more probable than not, in modern negligence law.

Foreseeability today, in major American decisions, includes whatever risks are likely enough in the setting of twentieth century life that a reasonably prudent person would take account of them in guiding his own conduct.

I want to call your attention now to a most important case in this new concept of liability. I cannot give you a citation, because it is so new there is no citation. The case is *Henningsen v. Bloomfield Motors, Inc. & the Chrysler Corporation,* a New Jersey Supreme Court case, decided by that court on May 9, 1960. I could take time, if we had it, to show you the entire development of the law up to the point where today this case stands as a landmark decision and carries with it the impact of *McPherson vs. Buick,* which Judge Cardozo set down so many years ago in New York, and which established that if the remote manufacturer of a product is in fact negligent, that such negligence when it affects an ultimate purchaser of the product, would give rise to the right to sue and recover directly from the remote manufacturer. This was based on *negligence.* In its day this was something new and startling. Old maxims were being discarded. That was as to the *purchaser — no one else.*

What are the facts in this case? This landmark decision in New Jersey and American law involved the purchase of a new car from the defendant middleman, Bloomfield Motors, by the *plaintiff's husband.* The car operated normally until the day of the accident when the wife was operating it. It was ten days old when this horrible thing took place. Something went wrong with the steering gear of the car. As a result, an impact followed. The car crashed into a pole and was demolished. It was impossible to determine if any of the parts or the steering mechanism, or the workmanship were in fact defective prior to the accident. Experts testified that, in their opinion, based on an examination of what they had left to examine and the fact that something definitely went wrong from the steering wheel down to the front wheel, that the accident must have been due to a mechanical defect or failure. Suit was brought by Mrs. Henningsen, joined by her husband for loss of consortium and property damage to his automobile. The Court had to face up to a very important problem, namely, a declaration of an express warranty in the written warranty of the contract of purchase with the husband buyer. That contract was set out so expressly and so denied the application or representation of any other warranty, that on the face of it one might be tempted to say this gentleman and his wife were stuck with it. Among other things, it said that the warranty extended for a limited number of days, and it spelled out specifically what the buyer could do if defective parts were

disclosed in the automobile. So we have the question as to whether the court was willing to abrogate or to interpret a formal agreement between the purchaser and the distributor and the remote manufacturer. The key questions here were based strictly on questions of implied warranty of fitness for a purpose, implied warranty of mechantability and express warranty of fitness for purpose, through representations made in magazines, newspapers, television, and elsewhere. How did the court handle this? This is the first case in the history of the United States which has "extended to the remote user" – mind you, gentlemen, I didn't say purchaser – "to the remote user of a Chrysler automobile the right to sue directly the manufacturer and the distributor on the basis of breach of implied and express warranties in the face of limiting declarations of warranty in the contract. What happened? The court, looking at the language of this disclaimer and making reference to the organization of automobile manufacturers wherein the form of this disclaimer has become almost universally proposed, said that the terms of the warranty were a sad commentary upon the automobile manufacturers' marketing practices; that the manufacturers were attempting to retain uncontrolled discretion to decide whether a car was in fact defective; that as a matter of public policy, this court would not declare that this type of agreement would not be forced upon the ultimate purchaser or even the user of the automobile. They held that under the law the buyer was entitled to proceed against the manufacturer and distributor on an implied warranty of fitness for a purpose and on an implied warranty of merchantability.

As we have said, the law is clear that such damages are recoverable under ordinary warranty, and the right exists whether the warranty is express or implied. The court spoke out to the manufacturers of the automobiles in America, and said, "Where the commodities sold are such that if defectively manufactured they would be dangerous to life and limb, then society's interest can only be protected by eliminating the requirement of privity between the maker and dealer and the reasonably expected consumer. In this way the burden of loss consequent upon the use of defective articles is borne by those who are in a position to either control the danger or make an equitable distribution of the losses when they do occur."

The court further recognized that under modern conditions – and this will extend to so many things in American life – the ordinary layman in response to the importuning of colorful advertising has neither the opportunity nor the capacity to inspect, or to determine the fitness of an automobile for use, to the same degree as the dealer who, to the limited extent called for by the manufacturer's instructions, inspects and services this automobile before delivery. That in such a marketing

milieu, the buyer's remedies and those of persons who properly claim through him, should not depend upon the intricacies of the law of sales itself.

I hurry to a conclusion on that subject. The court face one other problem. It said, "What are the husband's rights in this case?" Having decided that the wife has a right to sue the remote manufacturer on breaches of warranty, it would be illogical to accept the right of the wife to recover in contract for breach of warranty and to hold that the husband's derivative right or claim was not within the contemplation of the parties when the agreement of sale was made. So the husband not only recovered for his property damage, but for his loss of consortium for indignities visited upon his personal life by the devastating injuries to his wife. And so, we face something new in American law, particularly in the field of products liability, new social concepts in the relationship of the manufacturer to the consumer, to the buying public, which produced the *Henningsen* case, a landmark decision in American law.

Now, I should like to turn to one other area, where our courts are beginning to extend their appreciations of the value of human life, particularly as it affects little boys. You recall Section 339 of the *Restatement of Torts,* which says in part that "The possessor of land is subject to liability for the bodily harm to young children trespassing thereon, by a structure or condition artificial, which he maintains on his land," and today this concept is deserving of our attention because it has the attention of the courts. We are beginning to measure the utility to the land owner and the unqualified right to use his land as he will against the hazards and risks which are presented to little trespassing children. Most of these cases stand on their single facts. I suggest to you in a world which is beset with little cowboys, Indians, cops and robbers, and the four year olds who are fast on the draw, the benefits to society are being weighed against the inconvenience to the land owner to maintain safeguards against the propensities of these little cowboys and Indians. The law in this regard, gentlemen, has not "remained frozen in the doctrinal ditches dug by 19th Century judges." So you may tell your clients with some assurance, those who are land owners, that it is no longer safe for them to abstain merely from wanton, reckless misconduct, for the modern trend in these infant trespass cases is to adopt a general negligence approach, and as Mr. Justice Talbot Smith of the great Michigan Supreme Court said recently, "The right of a child to life, and to life unmaimed, outweighs the land owner's right to exclusive possession of his property."

How much is a little boy worth? You think about it when you try the case of a youngster. You wonder how you will present for the intelligent consideration of a jury the value of the life of a little boy, or of an injury to him. It is increasingly clear to me that our courts are mov-

ing to increase the protection to society's young potential, and that most of these cases are based upon the foreseeability of harm to the straying, trespassing little boy.

Now, this could have been your little boy—in *Hinman v. Pennsylvania Railroad,* 152 Atl.2d 251, a 1959 case – eleven years, seven months old, member of a Boy Scout troop that, to the knowledge of the railroad, met within a few hundred yards of the right-of-way. They also knew that close to this area, where these little boys gathered, they maintained 6,600 volt wrought wire, on a transformer housed on a platform attached to a pole. This is our situation: immediately after the accident, they spent about $1.50 to put up a sign, "Danger, live wire, keep off." The verdict in this case to the boy was $65,000.00 for injuries too horrible to describe before lunch, and $7,000.00 to his mother. Would it make sense to you, gentlemen, if I told you that for an amount under $25.00 in American cash, all the horror visited on this youngster could have been avoided?

At the time of this accident, there was maintained a steel column in a concrete foundation. It had a metal ladder which began nearly twenty-two inches above the ground leading to the steel platform at the twenty foot level. This inquisitive little Boy Scout climbed up the ladder. He passed by what these defendants described as an "anti-climb gate" until he reached the platform. It was a wet day; it had rained all night. Coming down, he touched what he thought was a pipe. The defense admitted that for about $6.00 worth of insulation on this live 6,600 volt wire, that this tragedy could have been avoided.

There was a novel defense in this case. Defendants agreed that a heavier insulation would be helpful; that the posting of a warning sign might have avoided the accident; that the removal of the lower part of this ladder could have avoided the accident, and that the erection of a fence around the pole at the price of about $3.00 would have avoided the accident. *But* they said, "We've got 844 poles, and now it becomes a burden on us. In other words, you are attacking our rights to have the ultilitarian use of our own property against the trespasser. What manner of law is this?" But, it was pointed out that in that entire right-of-way, of the 844 poles this was the *only* pole where children played nearby. The court held to the right of the plaintiff to recover.

Once again it is made clear, as in many other cases which I could cite, that the community has an interest in the life of a child and this special rule, designed to protect children from the many mechanical risks of this increasingly mechanized society we live in, is not a mere sentimental humanitarianism which will relegate the belligerent land owner to the untutored sympathies of a jury; but it is, rather, expressive of a paramount policy that the preservation of life is a proper factor to be weighed against the land owner's right to the exclusive possession of his land and the use that he makes of it. Conduct which unreasonably

jeopardizes life is offensive to our society. See *Lyshok v. City of Detroit,* 351 Mich. 230, 88 N. W. 2d 596 (1957).

In California our courts faced up to this recently in the case of *Reynolds v. Wilson,* 51 Cal. 2d 94, 331 P.2d 48 (1958). The defendant, like many other Californians, had a pool. He had a stucco fence around it — sounds pretty good so far. He intended to put up a gate. In fact, he had a ten and a half foot opening and the gate posts were in, but somehow the gate never got up. And I ask you, as reasonable men, would you have spent $25.00 or $50.00 to keep this two and a quarter year old little cowboy protected from cerebral palsy, permanent brain damage, damage to the nervous system and other bodily injuries? Would you do that? If you had a client, would you advise him if he had a pool or any other instrumentality which offered hazards and risks to these trespassing children to spend $25.00 or $50.00 for the erection of a gate in view of the increased concern of the courts for the trespassing child?

Isn't there something to be gained by the defendants' bar from cases of this nature? We don't create the victims, gentlemen. We represent them when they have been victimized, and you do not defend people until others have been victimized for whom your clients have some legal responsibility. We must aim to avoid these accidents. We must put an end, for example, to the sickening litany of death on the American highways; we have got to reduce some of the fortissimo passages of this cruel symphony which is devastating our people, children and adults, from one end of America to the other.

What happened in this case? California recognized, of course, that it was not proceeding on humanitarian principles alone; it recognized that the duty of the possessor of land *does not extend* to all dangerous conditions on the land which are obvious even to children; but it added, "When in addition to these there are unusual risks of concealed danger that are not obvious, especially to children," the "trap theory" may be applied and the negligence of the parent in this type of case was not imputable to a child in an action brought by the child. "If nothing else," said the Court, "the defendants were guilty of maintaining a trap as to this little boy." What did they do? All winter long they let collect in their pool, water, leaves, debris and algae. Perhaps unmercifully — knowing the injuries to this boy — the father came upon the scene and found the boy face down in the water, pulled him out, digitalis was shot into the heart, artificial respiration administered. You know what happened when the blood supply was cut off from this little boy's brain.

How much is a little child's life worth? I just want to read you a few sentences from a great decision in *Hord v. Homeopathic Hospital,* a 1952 case, where a three day old baby died under these circumstances. The mother came into the hospital to deliver. She was taken into the

delivery room, the child was born, and it fell through an opening on the table, hit its small head against the pan or bucket standing on the floor, injury to the brain, dead three days later. How much is a little baby worth? The defendants had an idea in this case. They contended that the child being of such tender age, you didn't have a yard stick to measure the damages at all, and that nominal damages could be given, to-wit, $131.00, the price of the funeral. The jury thought otherwise and returned $17,000.00, which was upheld by the Judge, and he said, "In the case of an infant who has not yet developed any earning capacity, there is a greater play for discretion on the part of the jury. This understanding, however, constitutes no reason for not awarding substantial damages for the death of a small child, otherwise the purpose of the death statute would really be frustrated to the extent that persons who negligently cause the death of a child would be free of practically all liability. The Judge upheld the jury: the amount of the verdict in the case was not excessive, not shocking to the conscience, morals, or otherwise.

Now, gentlemen, my last remarks. There was an old Chronicler in Baltimore town in 1874 who said this: "But yesterday we saw the law in force branding the foreheads of offending men, boring holes into their tongues. It was yesterday in the background we beheld them groping their way, the people, searching for the church and the court house by the interesting method of slits and notches in the trees." You recall, my learned friends, that it was Lord Mansfield who said, "The common law works itself pure through rules drawn from the fountain of justice." Thus, we have seen over the centuries and now into our modern times, first, through the slits and notches in the trees; then, with a broad brush and a long stroke, tort law, progressive and dynamic. Though it is stable it has not stood still.

American judges are doing a magnificent job in recognizing old errors and creating new interests, in their willingness to fit the rules into existing needs. In this process jurors are being allowed to excerise a kind of equity jurisdiction, thus stopping the heartlessness inescapable from a strict application of the rules. The necessity for stabilizing society today by adjusting competing social and individual interests with a minimum of friction, through rules based on reason and tested by experience, has become the true mission of the law of torts and those who administer it. As my respected friend, Professor Tom Lambert, the editor of our NACCA Journal has said, "The historical growth of tort law impressively shows that it is not a closed system of rules immutable to change by legislation. Tort law has maintained historical continuity with the past as the wine must taste of its own grapes."

Gentlemen, "we ring the bells of the future with the ropes of the past, but tort law has not allowed the dead hand of the past, and we must

not allow the dead hand of the past, to imprison the present or to impair its fidelity to the future." Plaintiffs' lawyers are not making the decisions in our appellate courts. Lawyers and judges are making them. We are witnessing the expanding horizons of the law, and we must grow with it and understand it. We are witnessing in the fields of products liability, the trespassing child, the guest case, the falling airplane, the consortium rights of the wife, the judicial appreciation of the value and dignity of human life. We are witnessing the new philosophical concepts that are inspired by sociological considerations born in an atomic missile, hydrogen, 48c dollar age, where the necessity to preserve fundamental rights and simple ethics is ever important if we are going to survive as a people at all.

Now, my last word. As lawyers we recognize the essential values and worth in a law which lives and breathes and grows to meet the requirements of men. We do not live in the cemetery of the common law, but in an ever moving ocean unceasingly in motion. Even as advocates for one cause or another, *we must not permit our advocacy to blind us to what is right, to what is fair, and what is equitable, in the rules governing the conduct of our fellow man.* And I suggest to you that we must ever recall that the greater the relationship and scientific or fiduciary quality of our service, the greater is the responsibilty to those we serve. And so we have gathered, as one of my good friends has said, not to come together for a few moments this morning, but perhaps to share some wisdom for all time.

President Clayton then introduced Mrs. Hazel Crimes, State Director of the National Association of Legal Secretaries, who made the following remarks.

It is with a great deal of humility that I appear before this group for the purpose of acquainting you with the aims and purposes of the National Association of Legal Secretaries, hereinafter referred to as NALS. That phrase has a familiar ring, doesn't it? It is a wonderful organization.

Jackson Legal Secretaries Association was chartered in July 1959, and we have made wonderful progress. I had the honor of serving as its first president and was appointed first State Director for Mississippi by the National Board and serve on the National Board. I have just been informed that I have been re-elected by the state membership to serve as State Director for the ensuing year.

The first known organization of legal secretaries was formed in Long Beach, California, in 1929 by a group who felt a distinct need for supervised study of legal procedure and desired to bring together their mutual problems and interests. From that humble beginning NALS was chartered in August 1950, with more than 160 chapters throughout the world at

this time.

NALS is a non-profit corporation based upon the principles of *Service*: service to legal secretaries, to attorneys, to the courts and to the general public. Our motto is: *We Serve*. One of its principal objects is: to unite all persons employed in work of a legal nature, to the end that ideas may be exchanged, and through this exchange knowledge may be increased. We have a Code of Ethics which I would like to read to you now. Each member vows to uphold this Code.

> "The first duty of a legal secretary is loyalty to her employers.
>
> It shall be the duty of every legal secretary at all times to maintain a high standard of courtesy in all contacts with law offices, clients, courts, and any and all persons.
>
> It shall be unethical for any legal secretary to violate any statute now in effect or to be enacted governing privileged communications.
>
> It shall be unethical for any secretary or employee in any law office to divulge the contents of any document in the possession of her employer without first having obtained the consent of said employer. or to discuss, maliciously or otherwise, with any persons, matters of a confidential nature, knowledge concerning which may come to her by virtue of her employment.
>
> It shall be the duty of every legal secretary to maintain harmonious cooperation with her associates."

The Association is non-partisan, non-sectarian and non-union. I would like to stress the non-union, as many lawyers have the mistaken idea that that is definitely what NALS stands for. Its history, as set forth in its Code of Ethics, is a record of the vision, faith and tenacity of its members. The credit goes to no one person, or group of persons, but to each member, who can be proud that she has played a definite part in its organization and progress. We know, however, that these first years of our existence are merely a prelude to a prosperous and productive future. NALS helps its members become more proficient in their legal work, helps them to have the advice and counsel of members who are experienced in specialized lines of legal work and procedure, and helps them to study legal procedure and to uphold the honor and dignity of the law.

Just as our employer serves his profession by being a member of the Bar, so we can serve our profession as a legal secretary by being a part of NALS. We have the satisfaction of knowing that we are personally aiding in the development of the skills and standards of legal secretaries and advancing the interests of our employers.

NALS has a prescribed course of study for young stenographers desiring to become legal secretaries by familiarizing them with legal terms, forms and procedures; has a Professional Legal Secretary Program whereby any legal secretary with the required number of years experience and

background, and the fee, may take the PLS examinaton, which covers two full days.

A local chapter may be started with ten members, and surely in your area there must be that many and more legal secretaries who would like to be a part of this great Association. Wouldn't you like for your secretary to be a member? It would stimulate a high order of business and professional attainment, which would be of great value to you as her employer, as well as great value to her. If you do not have enough in your area, why not talk with the secretaries about a tri-city or tri-county chapter? If nothing along these lines can be worked out, why not talk with your secretary about being a member-at-large?

Membership is open to persons throughout the world who are licensed to practice law, or engaged as a secretary, stenographer, typist or clerk in any law office, or persons employed in a court, trust department of any bank or trust company, or in any public or private institutions directly engaged in work of a legal nature, including all public offices meeting the qualifications for membership.

Membership is by state associations or, where no state association exists, by individual associations; or, where no individual association exists, by membership-at-large. Dues for members-at-large are fixed by the National Board of Directors and at this time are $4.00 per year.

Mississippi presently has only the chapter in Jackson, but charter applications have been submitted to NALS for Hattiesburg and the Coast, and Laurel will probably be chartered before the end of summer. Other areas are being contacted, but to date we have no response or enthusiasm. We need your support and cooperation and we hope you will be interested and urge your secretary to participate. Remember, you will derive good from her membership.

The Jackson attorneys have been most cooperative. There are many firms not represented in our membership and we hope to remedy this at an early date. Your immediate past president of the Hinds County Bar has his secretary as a member and the President is in the process of having his secretary become a member. Each member feels her boss is best and that is the reason we belong — to help us become better legal secretaries so our boss will be as proud of us as we are of him and will speak of us with pride. When they speak to others of us with pride and respect, we feel about twelve feet tall.

NALS does not control the local chapters in any way, although it helps them organize and will advise and assist. Each chapter operates strictly on its own and controls its affairs. A state association is organized when three or more chapters are organized in the state. It functions more or less as a clearing house.

Being a legal secretary is really a very special attainment. It doesn't

depend on the boss, the business or locality. Like complexions personality stems from internal cultivation. Success in our job depends as much on what we are, as what we do. NALS helps us accomplish both. Inner grace projects gracious manner, strength projects integrity, and from the combined qualities of the individuals the Association derives its character.

We invite inquires and please contact me at 310 Barnett Building, Jackson, for additional information. I would be delighted to have the names of your secretaries and would write them a letter about NALS. Should you like for me to meet with a group, I would be glad to do so at night, Saturday afternoon, or Sundays. That is my duty. I love it and am available to assist in any way I can to inform interested secretaries and employers about NALS.

I hope you have learned something about NALS and that your interest is piqued so that you will inquire further.

President Clayton called attention to the fact that the Committee Reports had been received by the members of the Bar at registration, and mentioned that only one committee report, the Study Report, required the action of the convention. Mr. O. B. Triplett of Forest presented the Report of the Study Committee. Upon motion and second this report was adopted.[1]

The President of the Junior Bar Section, Mr. James F. Noble, Jr. of Brookhaven, presented the Report of the Junior Bar Section. President Clayton thanked President Noble and the Junior Bar Section for their fine work.

THIRD GENERAL ASSEMBLY

SATURDAY, JUNE 18, 1:30 P. M.

President Clayton announced that President-Elect David Cottrell, Jr. of Gulfport would assume the position of President upon the adjournment of the convention.

Mr. Edward J. Currie, Sr. of Hattiesburg was nominated by Mr. Frank Barber of Hattiesburg, and Mr. Sherwood W. Wise of Jackson was nominated by Mr. Charlie Fair of Louisville, for the office of First Vice-President and President-Elect of the Mississippi State Bar. Mr. Wise was elected.

Mr. William S. Henley of Hazlehurst then presented the Report of the Resolutions Committee. Upon motion and second this report was adopted.

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[1]All committee reports will be found in Appendix A.

Mr. James F. Noble, Jr. of Brookhaven was nominated by Mr. Eaton Lang of Gulfport for the office of Second Vice-President of the Mississippi State Bar, and was elected unanimously.

Mr. William S. Henley of Hazelhurst was nominated by Mr. Sidney Carlton of Sumner for the position of Mississippi State Bar Delegate to the House of Delegates of the American Bar Association, and was elected unanimously.

The convention then chose as the site of its 1961 meeting the Buena Vista Hotel at Biloxi.

The following Commissioners were elected:

District 1 — Orma R. Smith, Corinth

District 2 — Albert Sidney Johnston, Jr., Biloxi

District 3 — Lester F. Sumners, New Albany

District 4 — J. Stanny Sanders, Greenwood

District 5 — John D. Guyton, Kosciusko

District 6 — Harry L. Corban, Fayette

District 7 — L. Arnold Pyle, Jackson

District 8 — W. H. Sanford, Philadelphia

District 9 — Herman C. Glazier, Jr., Rolling Fork

District 10 — Richard G. Lord, Jr., Meridian

District 11 — William H. Bizzell, Cleveland

District 12 — James Finch, Hattiesburg

District 13 — James Walker, Mendenhall

District 14 —Meredith Wood, Brookhaven

District 15 — Martin Smith, Poplarville

District 16 — S. P. Spinks, Jr., DeKalb

District 17 — C. Sidney Carlton, Sumner

District 18 —E. K. Collins, Laurel

The Fifty-Fifth Annual Convention of the Mississippi State Bar then adjourned *sine die.*

PROCEEDINGS OF THE TWENTY-FOURTH ANNUAL MEETING

OF THE

JUNIOR BAR SECTION

Held at Jackson, Mississippi, June 16, 1960

The General Assembly of the Junior Bar Section was called to order at 1:30 P. M., June 16, 1960, in the King Edward Hotel, Jackson, Mississippi, by Mr. James F. Noble, Jr., President of the Junior Bar Section.

The invocation was delivered by Reverend Jerry Furr of Jackson.

An address of welcome was delivered by Judge Russell Moore of Jackson and was responded to by Mr. Eaton A. Lang of Gulfport.

President Noble then introduced Mr. George Peach Taylor, Representative of the Fifth Circuit on the Executive Council of the Junior Bar Conference of the American Bar Association.

ADDRESS OF GEORGE PEACH TAYLOR

I was scheduled to talk about the activities of the Junior Bar Conference, but if I may take the liberty that speakers seem to take with their subjects, I wish to tell you a little bit about the organization of the Junior Bar Conference.

The three officers who direct the Junior Bar Conference are the chairman, the vice chairman, and the secretary. The Executive Council, of which I am a member, is made up of the three officers, who serve ex-officio, the past chairman of the Conference, and members of the council who are selected from thirteen areas, roughly following the set-up of the judicial circuits in the federal courts. The one to which we belong, Mississippi and Alabama, also includes Georgia and Florida, and the Canal Zone. These men are elected in staggered terms. Half of the members of the Executive Council are elected each year for a two-year term. I might point out at this time, not this year, but next year in 1961, when the member is elected from the Fifth Circuit, it will be Mississippi's time, as there is a custom of passing it from state to state. Since it only happens once every eight years, you might begin at this point thinking about whom you would like to have as your member of the Executive Council.

There are four stated purposes of the Junior Bar Conference in the bylaws, and I would like to briefly relate what the Junior Bar Conference is actually doing. The very first purpose is to stimulate the interest of the younger members of the American Bar and the objects and programs of the American Bar Association. I think most of you are familiar with the work that has been done in connection with the Jenkins-

Keogh legislation and the work of the Junior Bar Conference in that connection; also, the committee work on the World Peace Through Law Committee. I don't know whether you are having the same trouble in Mississippi that we have in Alabama, but the State Bar particularly does not look with favor upon the World Peace Through Law Program, and it's a little difficult getting off the ground over there. I hope you are doing a better job over here. And, of course, there is Law Day USA, and the work done in connection therewith.

The second stated purpose is to provide a program of activity designed to be useful and helpful to younger members. This work, I think, is one of the best purposes, and where we do the best job in providing activity for the younger lawyers. It gives us a chance to speak up, and to do and plan things which sometimes we, as younger lawyers do not have a chance to do, and the older lawyers sometimes frown on us. Through the conference assembly we can pass resolutions, involving debate upon questions of a serious nature. We can give vent to our feelings at that time. For instance, at the last meeting we had a very interesting resolution on the congressional investigation and the question of individual rights before the congressional committee. At the annual and all regional meetings, we have workshops which present the various aspects of the law of interest to Junior Bar members. We have problems that sometimes the Senior Bar does not have. Of course through our publications, we show matters of interest to us as younger lawyers. I don't know whether all of you have the *Younger Lawyer,* the last two issues. One had a check list in taking of depositions. Another, the last issue, had matters of interest in the art of cross-examination, both of which I think are very good. Then, of course, through the particular committee assignments, we can sink our teeth into problems that perhaps we would not be able to do if it were not for the Junior Bar Conference. We have a committee on the Client Security Fund. That is a problem which is of growing interest. There is another committee on the survey of statutes and rules regulating attorney's fees.

The third stated purpose of the Junior Bar Conference is to promote an active program of cooperation with the several sections of the American Bar Association and the American Law Student Association. This, they are working on. It has been very bad in the past, but it is getting very good now. We are placing Junior Bar Conference members on American Bar Association committees. There is a closer cooperation now with the American Law Student Association, in completing the transition from law student to active practitioner. Of course, in working through the American Bar Association and their committees, we do a lot of work that really ends up as American Bar Association work, the same way we do in our state committees.

The last purpose of the Junior Bar Conference is to aid in the cre-

ation and coordination of state and local Junior Bar associations throughout the country. We do this particularly through having a centralized group, a centralized body which can assimilate information and pass it out to people who have particular problems. If you, in Mississippi, have a problem in your Junior Bar section, there is a very strong probability that various other states have met with the same problem and have solved it. Make use of your Junior Bar Conference, and your member on the Executive Council will help you out in times of stress.

All in all, the Junior Bar Conference is an active and vital organization, and I assure you that working in it is enjoyable, profitable and even inspirational. I urge all of you to attend, if at all possible, the meeting in Washington. I got started a little late on my participation with the Junior Bar Conference and, those of you who are a little bit younger than I am, I urge you to go to the meetings and to participate in Junior Bar Conference work. You meet people from all over the country, and it is extremely pleasant and enjoyable.

The next order of business was the consideration of committee reports.[1]

Mr. Frank Riley of Tupelo presented the Report of the Code Study Committee. Mr. Millard Bush of Jackson presented the Report of the Young Lawyers' Seminar Committee.

Mr. Joseph Wroten of Greenville presented the Report of the Bylaws Committee. Mr. E. C. Ward of Natchez presented the Report from the Law Day U. S. A. Committee.

Mr. Charlie Clark of Jackson presented the Report of the Legislative Committee. Mr. K. Hayes Callicutt of Jackson presented the Report of the Public Relations Committee.[2]

Mr. Hugh N. Clayton, President of the Mississippi State Bar, then made the following remarks.

I don't want to intrude on you at this time, but there are two comments I want to make. Of course, my feeling toward the Junior Bar is very definitely one of affection. I thought it very significant that Joe Wroten from Grenada made the report about the bylaws. Some of you might not know how the organization was born in 1936. It was written on an old typewriter in the lobby of the Greenville Hotel.

This is an observation: there appears to be some thinking on the part of the members of the Junior Bar that it is separate and distinct

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[1]All committee reports are found in Appendix A.

[2]This report is included among the committee reports of the Senior Bar.

from the Senior Bar. This is not true. The Junior Bar has its own programs. I think it would be fine for the Junior Bar to assume the full responsibility for, for instance, Law Day, but I beg you, in the sessions and activities of the Senior Bar, participate. You are just as much a member of the Senior Bar as Judge Lyell, over there is, who welcomed me in 1930 to the first Bar Association meeting I went to in Biloxi. So don't feel that by virtue of membership in the Junior Bar, or by virtue of being under thirty-six years of age, that you are not a member of the Senior Bar. I don't want that attitude to develop; I think it is a mistake.

Please, in your thinking and in your attitude with regard to the parent organization, regard yourselves just as much a part of the parent organization as anybody else. Please participate in the assemblies we are having this week, tomorrow, or next week, and if something comes up and you want to say something about it, don't just refer it to someone like Earl Wingo, or M. M. Roberts, or somebody else beyond the age of forty; get up and say something. You will be recognized and your youth respected. I think you should participate. The Senior Bar needs you just as much as the Junior Bar separate section of the State Bar needs you.

The next point I want to mention is this: I always try to attend the Junior Bar meetings when I am at the conventions. I have been discouraged at the small number who come. Next year the Junior Bar will celebrate its twenty-fifth anniversary. Appropriate ceremonies should be had, and a particular effort should be made to get the membership within this age group to attend. The ones present are the faithful, but there is no reason why there should not be two or three times as many members of the Junior Bar here. I do hope Eaton Lang, your new President, will set up some kind of committee on attendance, and that you will have a big celebration and better attendance at next year's meeting.

Mr. K. Hayes Callicutt of Jackson then introduced Mr. William Reece Smith, Jr. of Tampa, Florida, who delivered the following address.

A NEW CHALLENGE FOR AN OLD PROFESSION

*William Reece Smith**

Mr. President, ladies and gentlemen, may I say at the outset that I deem it a particular privilege to be invited to address you today in connection with your annual meeting. We of the Junior Bar Conference of the American Bar Association have long recognized the Junior Bar Section of the Mississippi State Bar as one of the nation's outstanding Junior Bar groups. The activities of your organization have served as guide-

*Vice-Chairman of the Junior Bar Conference of the American Bar Association.

posts for others in many cases and we are continually looking to Mississippi for new ideas. I bring you the greetings of our Chairman, Gibson Gayle, Jr., of Houston, who addressed you last year, and am grateful now for the opportunity to follow in his footsteps.

When inviting me to speak to you on this occasion, your President was kind enough to leave the subject matter to me and daring enough to fix no time limitation. As you know, these are dangerous weapons to entrust to a lawyer, but if you find them misused, I trust you will appreciate his courtesy as I do and not hold him personally accountable.

Within the past few years, the American Bar Association has become a unifying force within the legal profession. This has not always been so. When the American Bar Association first organized in 1878, its meeting was held in Saratoga, New York. For many years thereafter, a select group of the nation's lawyers met annually at Saratoga for the pleasures that that famous resort offered, and almost incidentally, to consider the problems of the organized bar as those problems were then defined by the elite. The membership became more representative as time passed but as late as 1955, the American Bar Association was composed of some 50,000 members. Since that time, however, membership has reached an all-time high and membership has risen to about 100,000 members.

At the same time, ethical standards of the profession are improving throughout the nation. Much credit in this regard is due the American Bar Association's Standing Committee on Professional Ethics and Grievances, which helped develop the Canons of Professional and Judicial Ethics and which has now rendered some four hundred opinions interpreting the Canons. These opinions are used as authoritative material by many like committees rendering opinions for the bars of the several states.

So, too, more American Bar Association members are now participating in committee work than ever before. This work brings together lawyers throughout the country to consider and solve the many problems which face our profession in these dynamic times. The ABA, too, has displayed its increased concern for the economic position of the lawyer in his community. Doubtless you are familiar with the work of the Special Committee on the Economics of the Law Practice so ably chaired by your own John C. Satterfield, now President of the American Bar Association.

American Bar Association members also are now more fully cooperating with fellow lawyers in other countries than at any time in the history of the bar. Through the World Peace Through Law Program, able legal minds are each day brought together to lower the barriers existing because of national custom and varied environments and to work toward a common understanding of the phenomenon which has heretofore tend-

ed to breed distrust and strife.

All of these activities tend to unify the lawyers of this nation. But at the same time, the profession is facing a rather unsettling fact — it is not getting its fair share of the bright young people into the profession. In 1949, there were 56,102 students in the law schools of the country. In 1956, there were only 42,089 — a reduction of 23%. In 1949, 13,344 persons were admitted to practice law in one state or another. In 1956, only 9,450 persons were admitted — a reduction of 28%. Yet the population during these years expanded by 15%.

The grimness of the picture is lessened by the realization that just after World War II there was a backlog of students. But the picture is still dark enough.

These figures do not express quantitatively the type of young person now seeking a legal career. We are told, however, by legal educators that more and more of the first-rate minds are attracted to the physical and social science disciplines. Medicine, too, is experiencing the same unpleasant phenomenon. A recent report this year showed that medical school applications have declined by one-third since 1950.

Of course, both law schools and medical schools now require longer training than was the case in former years. Most accredited law schools today require the four-year college course as pre-law training. Part- time, night-time law study tends to be discourged.

Only a few students now enjoy the benefits of the GI Bill. And one also notes the earlier marriage problem. A typical law school today must prepare to accept problems of marriage and the family as something more than just a course in domestic relations. Many students must find friends, not only for themselves, but for their wives and children.

This phenomenon today is recognized and leaders of the bar are attempting to do something about it. We are aware of the strong message given us by former ABA President Ross Malone upon the occasion of his inauguration. He described "legal education (as) the first responsibility of the profession." Not only was he concerned with continuing to "elevate the standards of legal education," but he was aware of the problem of attracting able students for such a program.

Mr. Reginald Heber Smith of the Massachusetts Bar has recently written a telling article in the ABA Journal to the effect that we as lawyers need to re-think the entire matter of "legal economics." Young lawyers, he points out, simply do not get enough money. Fees are not always realistically charged. Long apprenticeships are unattractive to aggressive young men.

As true as the need for a better economic picture certainly is, I should like briefly to suggest some additional considerations. We are all familiar with the current series in *LIFE Magazine* entitled "The Nation-

al Purpose," wherein the need for Americans to re-examine themselves and their aspirations is pointed up. So, too, a broader definition of the role of the lawyer needs to be made by those of us in the profession — and then *carried forward* to the public. Law as a profession needs to be presented forcefully to the populace, and especially to the young for what it really is — "the profession of thought," to use Holmes' phrase.

I am told by legal educators that we do not now enjoy the best public relations with college students who are making up their minds about their future work. College professors tend to view law, oddly enough, as anti-intellectual, as something more than just a trade but still a sort of "know-how" pursuit and not a scholarly discipline. College students, like the public in general, get their ideas of law from movies, television and sensational trials.

In an article by Seymour Lipset, a scholar at the University of California, he reviews the status of intellectual life in America and sets out to discover just who the intellectuals really are. After listing scholars, artists, philospophers and so on, he adds: "a peripheral group are those who apply culture as a part of their jobs — professionals such as physicians and lawyers."

We need to recognize this facet of our calling, perhaps first remind ourselves of the fact, and certainly give to the profession itself a degree of advocacy which it deserves and so often lacks. This can be done by sending speakers to the universities and colleges to explain law as a profession and by showing the student that law permits both action and contemplation, that it is concerned with solving the big policy problems of our times as well as the smaller but also important problem of a particular client.

So, also, we must open up for discussion in the bar all of the policy problems with which our great nation is today confronted. Here, however, a caveat is needed, for we must shift from our role as advocate to that of a teacher and learner. The Bar Association should not necessarily attempt to take positions — as a group position — on every burning issue of the day. It should, however, provide the forum, the invitations and the means to bring out for discussion these issues. By doing so, the Bar Association brings unity of purpose without destroying diversity of individual choice, and in doing so, it will also attract and retain within itself those bright minds of which the profession has so long been possessed and which now, more than ever, it so badly needs.

Not only to the public in general, as is so often stressed, but also to the youth of our country we need to reiterate the cardinal points of our creed. I find them no better expressed than in an address by the late John W. Davis.

"We believe, first, in the dignity and usefulness of our calling.

Note that I couple the two words; for dignity without usefulneess is mere pretense and usefulnes without dignity loses half its power. From the days of Cicero and Hortensius, even before them indeed, the law has always been regarded as a dignified profession. It has been carped at and ridiculed with frequence and vigor; but the only persons who have been able to sully its escutcheon or lower its rank have been unworthy members of the profession itself. We may be confident that it will always be thought a dignified and a worthy thing for a man to study the rules of conduct by which human society is governed and to defend the rights those rules are designed to protect. Here lies the usefulness of our profession, which again not even the bitterest cynic dare deny.

"We believe, secondly, that a profession so dignified and so useful makes demands upon the person and character of its members second to no other calling that is followed by the sons of men. Uprightness, honor, industry, integrity, candor to courts, courtesy to colleagues, loyalty to clients — these are its familiar and constant demands.

"We believe, finally that the lawyer, every lawyer, is a public servant. He becomes an officer of the courts as soon as he is admitted, guardian of the general good as soon as he has taken the oath to protect and defend the constitutions of his state and nation and honestly to demean himself in the practice of the law. Historians have said that the murder of Cicero marked the end of the Roman Republic. And since that time, every would-be despot has found it necessary to silence the tongues of his country's lawyers.

"For this is our supreme function — to be sentinels on the ramparts of human liberty and there to sound the alarm whenever an enemy appears."

These thoughts, couched though they are in the flowery expression of another day, establish a goal which we should not only set but which we must continually seek to attain. These thoughts reflect an image of what we ought to be. Such idealism, we know, is difficult to project throughout our daily professional lives. Yet it is idealism coupled with opportunity for forceful action, which has attracted the nation's outstanding talent to the Bar for so many years. And it is by the living of these ideals that we will not only continue to serve well our state and nation, but also will encourage the best of the nation's youth to embrace a great calling — the practice of law. This, it would seem, is a New Challenge for an Old Profession.

Mr. Gene Wilkinson of Jackson presented the Report of the Traffic

Court Conference Committee. Mr. Charles Carter of Jackson presented the Report of the Mississippi Law Institute Committee.

Mr. Jay Gore, Jr. of Grenada presented the Report of the Activities Committee. Mr. James Childs of Jackson presented a report on Legal Aid, Inc. of the Jackson Junior Bar program.

President Noble then reported on the accomplishments of the past year and the functions of the various committees.[3]

The next order of business was the election of officers. The following officers were duly elected:

Mr. Eaton A. Lang, Gulfport, President

Mr. E. C. Ward, Natchez, Vice-President

Executive Committee:

Central District:
George Rogers, Vicksburg
Earl Keyes, Jackson

Northern District:
Donald Whitten, Charleston
Jesse Yancey, Bruce

Southern District:
Robert Barbour, Jr., Gulfport
Donald P. Patterson, Brookhaven

The Twenty-Fourth Annual Meeting of the Junior Bar Section was then adjourned *sine die*.

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[3]This report is included among the committee reports of the Senior Bar.

APPENDIX A

COMMITTEE REPORTS – SENIOR BAR

REPORT OF THE COMPLAINTS COMMITTEE

The Complaints Committee has received two formal complaints during the year. On one it was thought that further investigation was necessary, and the other was reported to the Board of Bar Commissioners for consideration.

REPORT OF THE JUDICIAL ADMINISTRATION COMMITTEE

The Judicial Administration Committee of the Mississippi State Bar met on March 18, 1960, at 10:30 A. M. in the Walnut Room, King Edward Hotel, Jackson, Mississippi, and the results of this meeting best embody the actions and steps taken by said Committee under the chairmanship of Judge Tom P. Brady. In spite of the fact that Mrs. Alice Nevels could not be present, and in spite of the fact that several members of the Judicial Administration Committee were likewise absent because of conflicts, the Committee nevertheless met and transacted the following business with Mrs.Lillian Sadler acting as reporter in the absence of Mrs. Nevels.

Judge Henry Lee Rodgers of Louisville, Mississippi, discussed at length House Bill No. 620, which relates to the Judges' retirement. Judge Rodgers had worked diligently on this Bill, together with Supreme Court Justice Roberds and other Justices. After a full discussion, Hon. Gordon Roach of McComb, Mississippi, offered a motion that help be obtained and that the Bill be recommended to the members of the House of Legislature for its immediate passage. No committees were designated to assist in having the House consider the Bill, since it was believed that there would be a sufficient number of Judges and interested lawyers to accomplish this objective. The motion was seconded by Judge Rodgers and upon being submitted to a vote by Chairman Judge Brady, it was unanimously carried.

The question of the Supreme Court Judges serving on a half-time basis after retirement was then discussed. It was pointed out that many of the Judges would be able to render considerable service even after retirement, assuming that their health would permit, and that it would be wise for the State of Mississippi to be able to avail itself of these services. Mr. Gordon Roach therefore moved that the Bill dealing with the question of retired Supreme Court Judges serving on a half-time basis be approved and that the Legislature be advised of this approval and be urged to pass said Bill. Upon being submitted to a vote, this motion was carried.

Judge Montgomery, of Laurel, Mississippi, called to the committee's attention S. B. 1762, a bill calling for the creation of a Youth Court Judges' Commission. Judge Montgomery explained in considerable detail the necessity for such a commission, and submitted to the committee the report of the Jones County Youth Court for 1959 and a brief history of the Youth Courts in Mississippi. All were presented copies of the "The Need for a Youth Court Judges' Commision of Mississippi", prepared by Judge Luther W. Maples, President of the Mississippi Association of Youth Court Judges. Judge Montgomery commended highly the officers of the Youth Court and, particularly, Judge Maples and County Attorney Gaston H. Hewes, of Gulfport, Mississippi.

The provisions of Senate Bill 172 were studied by the committee, and after due consideration and discussion, Judge Lunsford Casey offered the motion that the Bill

be recommended by the committee for enactment by the Mississippi Legislature and that the attention of the Legislature be directed to the recommendation of the Judicial Administration Committee, and be urged to enact the same into law.

The committee likewise agreed that any matters which were not acted upon favorably by the Mississippi Legislature through the enactment of statutes would automatically be carried over for attention by the next Judicial Administration Committee, with the recommendation that attempts be made again to have the Legislature enact the desired legislation.

Your chairman regrets that the efforts of the Judicial Administration Committee were not more successful, but feels that the work was not done in vain and that most of the objectives will in the near future be realized. The Legislature was sympathetic to the suggestions and recommendations of the committee for the most part, but having gotten off to a slow start the docket of the bills for consideration was very congested and many bills died on the calendar including some recommendations by the Judicial Administration Committee. Sustained efforts by the committee at the next regular session of the Legislature should be more successful.

REPORT OF THE COMMITTEE ON JUDICIAL RETIREMENT

Your Committee is glad to be able to report that the recommendations contained in its report at the Fifty-Fourth Annual Meeting of the Mississippi State Bar as reported in the October, 1959 issue of the *Mississippi Law Journal*, at page 556, were enacted into law by the 1960 Session of the Mississippi Legislature.

REPORT OF THE JUNIOR BAR SECTION

At the outset I want to express my sincere appreciation for the opportunity and honor of serving as President of the Junior Bar Section of the Mississippi State Bar during the fiscal year of 1959-1960. I take justifiable pride in, but no credit for, the relative success of the past year's program. The credit belongs to the Executive Committee, the chairmen and members of the various committees, and the Bar Secretary, Mrs. Alice Nevels, and her efficient staff, to all of whom I wish now to say a hearty "thanks" personally and on behalf of the Junior Bar Section.

The encouragement, advice and cooperation of the Senior Bar, and in particular of its President, Honorable Hugh N. Clayton, and its Board of Commissioners, were most helpful, and I surely want all of them to know our genuine gratitude for it.

Now, I undertake to summarize briefly the activities and accomplishments of the Junior Bar Section during 1959-1960, with recommendations for the coming year. This information will be presented first on a personal basis and then on a committee basis, followed by the recommendations.

I have worked with a number of our committees in the work performed by them. As an ex officio member, I have attended all of the meetings of the Board of Commissioners of the State Bar, and while there tried to represent the best interests of the Junior Bar, as well as the Bar as a whole. I worked as closely as possible with the State Bar President, Honorable Hugh N. Clayton, and feel that I was of some assistance to him in the State Bar program. It was my real pleasure as an official delegate from our Junior Bar to attend the Assembly of the Junior Bar Conference of the American Bar Association at its annual convention at Miami Beach in August, 1959, and while there to meet many fine young lawyers and their wives, to familiarize myself at first hand with the broad, effective program of the JBC and to participate in the panel

discussions and the voting. I used this opportunity to distribute copies of the brochure on our Second Annual Young Lawyer's Seminar and to make known the activities of the Mississippi Junior Bar. I have made a number of talks as Junior Bar President before different groups, such as the Copiah, Lincoln and Lawrence County Bar Associations and the Brookhaven Junior Chamber of Commerce. I was instumental in the appointment of a number of our members to committees of the Junior Bar Conference of the American Bar Association.

The activities of the Junior Bar committees were varied and substantial, and are here set forth briefly by individual committees, the Executive Committee and Standing Committees first, and Special Committees second. A full report from each committee is on file with the Bar Secretary.

I. Executive Committee

The Executive Committee was comprised of most able and energetic young men. It met twice during the year, on June 12, 1959, at Biloxi, and on June 16, 1960, at Jackson. Between these times, its members, most of whom were either chairmen or members of the standing and special committees, met informally and in such number and manner as the need required.

II. Public Relations And Information

The Mississippi Lawyer, our Bar's official monthly news bulletin or magazine, was ably published under the direction of this committee. The Committee Chairman, Honorable K. Hayes Callicutt, was also the Chairman of the same Committee of the Senior Bar, and therefore was able to correlate the activities of both Committees to very good advantage.

III. Unauthorized Practice Of Law

Unauthorized practice of law in Mississippi is a much greater problem than most of us in the profession realize, and is increasing all the time. This Committee has studied the problem and has made certain recommendations thereon especially as to arranging a more effective means of coping with it than now exists in the Bar.

IV. Code Study

This Committee last year recommended for passage by the Legislature the "Bar Dues Increase" bill and the "Supreme Court Law Clerk" bill. The former was enacted into law at the last session of the Legislature, but no action was taken by our lawmakers on the latter. The "Law Clerk" bill is again recommended for passage at the next legislative session.

V. Legislative

No independent action was taken by the Legislative Committee, but it worked very closely and actively with the same committee of the Senior Bar, the results of the combined committees being very gratifying as indicated by their respective reports.

VI. Convention

The Convention Committee is due all the credit and appreciation for planning and conducting the reception, buffet dinner and dance for the Junior Bar the first evening of the Convention. These functions this year are much above the ordinary and the Committee should be rightfully proud of its accomplishments.

VII. Seminar For Young Lawyers

Tht Second Annual Seminar for Young Lawyers was held on September 3-5, 1959, at Millsaps College, Jackson. The Seminar Committee planned and conducted it, and did a very capable job. The second seminar showed improvement over the first one,

was well attended, and showed, a small money profit. The Seminar is well worth every bit of the money, work and time invested in it, and it is the suggestion of this Committee that it be continued, improved and expanded.

VIII. Trafffic Court Conference

This Committee planned and conducted the First Annual Mississippi Traffic Court Conference, March 2-4, 1960, at Millsaps College, which was well attended and a real success and contributed substantially to the improvement of the traffic situation in Mississippi, particularly as it pertains to the courts.

IX. Mississippi Law Institute

The Fourteenth Annual Mississippi Law Institute, presenting the program, "Medico-legal Aspects of Injuries of the Head, Face, and Neck," was held December 4-5, 1959, at the King Edward Hotel, Jackson. This was a very outstanding program and a departure from custom, much to the benefit of the many lawyers who attended. This committee is actually a Jackson Junior Bar Committee and is adopted in toto by the Junior Bar Section of the State Bar without attempting to influence it from that level.

X. Bylaws

This Committee recompiled, with amendments to date, the Bylaws of the Junior Bar Section and distributed mimeographed copies to all members of the Section.

XI. Law Day U. S. A.

Observance of Law Day U. S. A. was planned and conducted by this Committee and its local chairmen throughout the state by various and effective means. The responsibility for this was given to the Junior Bar by action of the State Bar, and we feel that it was well carried out.

XII. Legal Aid

This Committee is adopted from the Jackson Junior Bar without change or assistance by the Junior Bar Section and as usual, it has done an outstanding job in providing legal counsel for deserving indigents in Jackson and Hinds County.

XIII. Extension, Courtesy, Ethics And Activities

Among the accomplishments of this Committee is the compiling of a complete list of all Junior Bar Section members through August, 1959, with full names, dates of birth and residence and mailing addresses, and the preparation of certificates for presentation to past presidents of the Junior Bar Section at this convention. The Committee strongly recommends that more local Junior Bar groups be organized throughout the State.

Before closing, I would like to make four recommendations to the incumbent administration. First, I recommend that the increase of $1,000.00 in the allocation of funds to the Junior Bar Section by the Senior Bar, which was accomplished during this administration, be made permanent rather than temporary as it is now. Second, I recommend that a Junior Bar Conference Achievement Award Committee be appointed and charged with the duty of compiling and submitting a report of the accomplishments of the Mississippi Junior Bar to the Junior Bar Conference of the American Bar Association in order to compete for the Achievement Award for our class. Third, I recommend broad extension of local junior bar organization, with affiliation of each local unit with the Junior Bar Section of the Mississippi State Bar, and with the Junior Bar Conference of the American Bar Association. Fourth, I recommend that presentation of a past president's certificate be included in each annual meeting of the Section.

REPORT OF THE COMMITTEE ON LAW DAY U.S.A.

Those most active in supervising the celebration of Law Day U.S.A. were Mr. E. C. Ward of Natchez, Mississippi, who really spent much of his time on this general subject, Mr. George P. Hewes, III, of Jackson, Mississippi, Mr. Frank A. Riley of Tupelo, Mississippi, and Mr. Robert Barber, Jr., of Gulfport, Mississippi. These men met with the chairman of the committee in the office of Mr. E. C. Ward in Natchez, Mississippi, on March 11, 1960. There work was done to stimulate effort in many quarters throughout Mississippi, and we think that by far the best program we have had in this field of endeavor was had generally throughout the state on or about May 1, 1960.

The most elaborate program in Mississippi was at Jackson, where on Sunday, May 1st, a fifteen minute speech was made by John Satterfield over the local television station, and on the same day there were several separate talks or parts of talks directed at this program from the pulpits. On Monday, May 2nd, at Jackson, Mississippi, an impressive courtroom ceremony was held in the Circuit Court with Judges McCowan and Hendrick presiding. In connection with this general movement, the Hinds County Bar Association sponsored essay contests in three local colleges, large billboards were provided, courtesy of Lamar Outdoor Advertising Company to display Law Day U. S. A. posters, two mock trials were conducted for two separate high school assemblies, and a number of talks were made to civic clubs and high school assemblies.

Time will not permit an extended discussion of what was done in the various places, but special mention should be given to Natchez, where Mr. E. C. Ward for himself and others there saw to it that an outstanding program was had. Newspapers gave publicity, recognition was had throughout church services, the Adams County Bar Association had a banquet pointing the discussion to this general subject, and a talk was made at the Washington High School. The Natchez program was an improvement over the first year where much activity has been displayed for Law Day U. S. A., and it is apparent that in the passing of time more interest and in a wider field will prevail.

Like mention could be made of Brookhaven, Mississippi, where James F. Noble, Jr., President of the Junior Bar Section, saw to it that a great program was had. As in Natchez, likewise in Brookhaven there was a proclamation by the Mayor and publicity in the local papers with editorials on the subject, window posters throughout the city and sermons on the subject from five city churches, with talks from different local lawyers before civic clubs and groups. Other South Mississippi cities were energetic in this field, including Hattiesburg and Gulfport, where impressive programs were had.

Mr. Frank A. Riley of Tupelo reports that eighteen Law Day chairmen were appointed in the northern district of Mississippi, and various kinds of programs were presented in communities of location of these Law Day chairmen. An example of the type of program for the northern district is that carried out in Tupelo, where Law Day U. S. A. was celebrated in the high school, with the ministerial associations and in sermons on May 1st, a panel discussion of lawyers before the Kiwanis Club, a talk by an attorney before the Rotary Club, Law Day U. S. A. material as topics for the Toastmasters Club for that week, editorials in the local newspapers, mention of Law Day U. S. A. in a bank ad for that week, and news releases through the media of radio and television.

The fact remains that Mississippi knows more about Law Day U. S. A. now than one year ago, and it is the hope of those who were active this time that there be

plans made for a similar program one year hence and that we work to improve same year by year. We do think that it is a mistake to have the Junior Bar Section and a committee appointed by the President of the Bar Association to have different functions. There should not be two committees for the program. Such only adds confusion; but no harm resulted therefrom this time because the two committees did work closely together.

REPORT OF THE LAWYERS' BUSINESS AFFAIRS COMMITTEE

There have been no duties for this Committee to discharge during the current year except the preparation for publication and the printing and distribution of the Manual prepared by the Committee last year, entitled *Fee Computation and Law Office Management.*

The awarding of a contract for the publication of this was delayed until April, 1960 because of insufficient funds. After the Legislature increased the dues of the Mississippi State Bar, however, the contract was awarded to Office Supply Company, Clarksdale, Mississippi.

As of the writing of this report, all copy has been submitted to the printer and proofs of approximately two-thirds of the manual have been corrected.

It is expected that the manual will be distributed to all members of the Mississippi State Bar prior to the Annual Convention in Jackson in June 1960.

REPORT OF THE LEGISLATIVE COMMITTEE

The Mississippi State Bar was interested in certain bills in the 1960 regular session of the Legislature. The status of these bills is as follows.

Those passed by the Legislature (a few of the recommended bills were amended by the Legislature in the course of passage):

House Bill No. 206, to increase State Bar dues;

House Bill No. 207, to increase application fee for non-resident lawyers;

House Bill No. 208, to increase fees for Bar examination;

House Bill No. 619, vests Chancery Court with additional jurisdiction to entertain suits for custody and support of minor children;

House Bill No. 620, ex parte petitions for partitions may be heard in vacation; House Bill No. 621, providing for fixing fees for commissioners, referees, etc. in vacation;

House Bill No. 668, to provide for mental examination of certain persons charged with a crime.

House Bill No. 676, providing for the increase in the salaries of the Supreme Court Judges;

House Bill No. 622 was for the purpose of amending Section 875 of the Code so as to clarify the statute of limitations on installment notes. Since Senate Bill No. 1873, passed by the Legislature, was to the same effect, House Bill No. 622 was not passed.

Those not passed by the Legislature:

House Bill No. 617, providing for service of copy of indictment on persons indicted;

House Bill No. 618, to provide for additional methods of serving notice in legal proceedings;

House Bill No. 405, pertaining to pre-trial conferences, was passed by the House, but was not favorably reported by the Senate Judiciary Committee.

The members of the Legislature and the Governor manifested much interest in the above mentioned bills. We particularly appreciate the interest of the Chairmen of the Judiciary Committees of the Senate and House.

REPORT OF THE EDITORIAL BOARD OF THE MISSISSIPPI LAW JOURNAL 1959-60

General

The publication of the October 1960 issue of the *Mississippi Law Journal* will mark the completion of the thirty-first volume. With the publication of the December 1960 issue, the *Journal* will commence the thirty-second year of uninterrupted publication.

The *Journal* has a circulation of approximately 2500 copies per issue, and, at the present time, is published four times a year during the months of December, March, May and October. The October issue is devoted exclusively to the publication of the proceedings of the Mississippi State Bar Convention and the roster of the Mississippi State Bar.

The subscription rate is $4.00 per year, and separate copies may be purchased for $1.50. The *Journal* is published by the Rebel Press & Office Supply Co., Oxford, Mississippi.

Buildings and Facilities

At present the offices of the *Journal* are located in the basement of Lamar Hall. Future plans concerning the permanent location of the *Journal* are indefinite.

Issues Published Since Last Convention

Since the 1959 Convention, the *Journal* has published five issuees. The first was the Special Issue on Mississippi Pleadings and Practice in the Circuit Court, with contributions therein by our Circuit Judges and other outstanding writers. This Special Issue has been favorably received and it appears from the comments relative thereto that the publication is of considerable practical value.

The new editing policy for the publication of the October issue containing the proceedings of the State Bar and first used for the publication of the October 1958 issue, seems to be operating satisfactorily, as the number of complaints received because of necessary deletions in various speeches and committee reports has greatly decreased. This policy will continue in effect for the publication of the October 1960 issue. The committee appointed to edit the October issue includes (1) the President of the Mississippi State Bar, (2) the Chairman of the Law Journal Committee, (3) the Faculty Advisor of the *Journal* and (4) the Editor of the *Journal*.

Future Plans

The Cumulative Index for Volumes XXI-XXX will be published during the year. A conservative estimate of the length of the Index is a hundred pages and the estimated cost of printing will be approximately $1,500.00. This expenditure will be in addition to the cost of the regular four issues of Volumes XXXI.

It is presently planned to furnish the Cumulative Index to our subscribers without charge, this, of course, being subject to change as financial necessity dictates.

This year the *Journal* plans to continue its program of reprinting early volumes by reprinting those issues contained in Volume II. This is done for the important purpose of making available to the members of the Bar separate issues of the *Journal* which have been out of print for some time. Additionally, the acquisition of the re-

prints of the issues of Volume II will increase the overall value of the *Journal* to the Mississippi lawyer. It is the long range plan of the *Journal* to make available for sale by the process of reprinting complete bound or unbound sets of the *Mississippi Law Journal.* This is a standard procedure for the older law reviews as issues become rare or out of print.

Change of Address

Every issue of the *Journal* results in several copies being returned due to erroneous addresses. The *Journal* is mailed by second-class mail and consequently there is no provision for forwarding. If the issue is not claimed by the addressee, it is returned at *Journal* expense. It is respectfully urged that all members of the Bar promptly notify the *Journal* of any change of address. Our address is *"Mississippi Law Journal,* P. O. Box 146, University, Mississippi."

The Journal and the Mississippi Bar

The *Mississippi Law Journal* is the official publication of the Mississippi State Bar, and its primary purpose is to serve the Bar and its members. However, this relationship existing between the *Journal* and the Bar should not be characterized as a one-way affair, because of necessity it is a relationship out of which springs reciprocal duties and obligations. While it is true that the subsidy given the *Journal* by the Bar makes possible the *Journal's* physical existence, in order for the *Journal* to be classified as successful and to justify its existence, much more than mere pecuniary aid must be forthcoming. To adequately fulfill its purpose and obligations to the Bar, the *Journal* must receive support in the form of articles contributed for publication, suggestions and criticism from the Bar, suggestions as to topics that should be treated in leading articles, and an understanding on the part of the Bar of the problems encountered in the printing of a professional publication such as the *Journal.*

The financial ability to publish is of little significance where there is an absence of suitable material to print. We, therefore, would like to extend our sincere appreciation to our contributors and respectfully urge the members of the Bar to write and submit for consideration material for future publication in the *Journal.*

The *Mississippi Law Journal* is a joint publication of the School of Law of the University of Mississippi and the Mississippi State Bar, and it is our desire that you will aid us in making it more beneficial to the Mississippi lawyer. Its success is not dependent on the individual effort ofthe Law School or the Bar, but rather upon the continued and cooperative endeavors of both.

EXHIBIT "A" TO THE LAW JOURNAL REPORT
FINANCIAL REPORT OF THE MISSISSIPPI LAW JOURNAL
June 1, 1959 — May 15, 1960

Receipts

Balance Remaining 1958-1959 Bar Appropriation	$00,000.00
Balance in Bank, June 1, 1959	2,541.25
Appropriation, Mississippi State Bar	5,000.00
Sale of Subscriptions	433.10
Sale of Back Issues	197.00
Sale of Advertising	1,045.00
Law School Student Assessments	745.00
Miscellaneous	128.63
TOTAL RECEIPTS	$10,089.98

Disbursements

Printing:		
August, 1959 Issue	$ 1,667.80	
Volume XXX, No. 4	1,544.60	
Volume XXXI, No. 1	1,576.20	
Volume XXXI, No. 2	1,114.20	
Volume XXXI, No. 3	1,529.80	
Total Printing		$ 7,432.60
Postage and Box Rent		217.86
Stationery and Office Supplies		188.71
Telephone Expense		252.18
Addressograph Expense — Mailing List		102.06
Miscellaneous		383.69
TOTAL DISBURSEMENTS		$ 8,577.10
Cash on Hand, May 15, 1960		1,512.88
		$10,089.98

EXHIBIT "B" TO THE LAW JOURNAL REPORT
PROPOSED BUDGET FOR THE MISSISSIPPI LAW JOURNAL
May 15, 1960 — June 1, 1961

Receipts

Balance in Bank, May 15, 1960	$ 1,512.88
Appropriation, Mississippi State Bar	7,500.00
Sale of Subscriptions	500.00
Sale of Back Issues	200.00
Sale of Advertising	1,000.00
Law School Student Assessments	750.00
Miscellaneous	100.00
TOTAL RECEIPTS	$11,562.88

Disbursements

Printing:		
August, 1960, Cumulative Index Volumes XXI — XX	$ 1,600.00	
Volume XXXI, No. 4	1,600.00	
Volume XXXII, No. 1	1,600.00	
Volume XXXII, No. 2	1,600.00	
Volume XXXII, No. 3	1,600.00	
Total Printing		$ 8,000.00
Postage and Box Rent		225.00
Stationery and Office Supplies		175.00
Telephone Expense		225.00
Addressograph Expense — Mailing List		150.00
Miscellaneous		300.00
Volume II, Reprint		2,300.00
TOTAL DISBURSEMENTS		$11,375.00
Balance in Bank, May 31, 1961 (Estimated)		187.88
		$11,562.88

REPORT OF THE PUBLIC RELATIONS COMMITTEE

The Public Relations Committee was handicapped this year due to the fact that the Mississippi State Bar was operating at a deficit and the members of the Bar had been called upon for donations in order that current expenses could be met. The Public Relations Committee supported and worked for the passage of the legislation raising the Bar dues to $20.00 annually. The Bar can now operate on a business-like basis without the necessity of requesting donations from the members of the Bar.

The Public Relations Committee through *The Mississippi Lawyer* attempted to keep the members of the Mississippi State Bar fully informed of all phases of the work of the Bar. *The Mississippi Lawyer* gave full coverage to Law Day U.S.A. and the program of President Hugh N. Clayton.

The Public Relations Committee, as funds were available, utilized the "mat" service, whereby mats were sent out to various newspapers. These mats carried articles or stories informing the general public as to why they should consult their lawyer.

The Public Relations Committee is of the opinion that the Mississippi State Bar should hire a part time Public Relations Director in order that the public relations program can be accelerated and also in order that a consistent program can be presented through the years. Such a program is desperately needed in our state.

RECOMMENDATIONS

The Public Relations Committee recommends the following:

1. A Public Relations Director be hired on a part time basis at a minimum salary of $1,800.00 per year.

2. The Public Relations and other committees utilize the facilities of *The Mississippi Lawyer* in order to coordinate the various activities of the Mississippi State Bar.

REPORT OF THE RESOLUTIONS COMMITTEE

I

BE IT RESOLVED, that the Mississippi State Bar endorses the Uniform Commercial Code in its concept. We approve the appointment by the President of a Committee to study the Uniform Commerical Code and recommend to the legislature the appointment of a Recess Study Committee to study the Uniform Commerical Code and to work with the appointed Committee of the Mississippi State Bar.

II

WHEREAS, the Keogh Bill, HR 10, as revised by the Senate Finance Committee, has been passed by that Committee and has been reported to the Senate, and

WHEREAS, passage of this bill at this Congressional session is of urgent importance to all self-employed persons and their employees,

NOW, THEREFORE, BE IT RESOLVED by the Mississippi State Bar that we endorse said bill and request our Senators and Representatives to support same actively.

III

WHEREAS, under the able and distinguished leadership of Honorable Hugh N. Clayton, retiring President of the Mississippi State Bar Association, assisted by the courteous, capable and efficient services of Mrs. Alice Nevels, Secretary of the Mississippi State Bar, and by the excellent work of Honorable James F. Noble, Jr., President of the Junior Bar Section, and by the enthusiastic cooperation of the Commissioners, committee members, and membership, this convention concludes the most successful year that the Mississippi State Bar Association has ever experienced, and

WHEREAS, due to the unselfish efforts and devotion and cooperation of numerous persons, we have enjoyed a successful, entertaining and instructive convention and desire to give special recognition and expression of appreciation therefor to President Clayton and his committees, to President Noble, to Mrs. Nevels and her staff, including registration clerks and reporters, to the local committees on arrangements and entertainment, and to all members of the Hinds County Bar, to Mr. George Sturm, Manager of the King Edward Hotel, and to the personnel and employees of the Hotel, and to all others who have helped in making this convention a success, and

WHEREAS, we are especially grateful to and indebted to the eminent President-elect of the American Bar Association, Honorable Whitney North Seymour, and to Honorable Lou Ashe, Honorable Erby L. Jenkins, Honorable William Reece Smith, Jr., and Honorable George Peach Taylor for their sacrifices in traveling long distances to appear on the program at this convention and deliver able addresses,

NOW, THEREFORE, BE IT RESOLVED that we do hereby express thanks, and appreciation, and commendation to each and all of the persons who have cooperated in such an excellent manner to bring about the magnificent results obtained in the work of the Bar Association culminating in this splendid convention.

BE IT FURTHER RESOLVED that we express our appreciation and thanks to Mrs. Ross Barnett and Governor Barnett for the wonderful tea given at the mansion.

BE IT FURTHER RESOLVED that we express our appreciation to the Deposit Guaranty Bank & Trust Co. for the complimentary luncheon given to all the members of the Bar and their wives, by the Trust Department of said Bank, and that we extend special thanks to the press, television, radio and news service for their splendid coverage of this convention, their cooperation and fairness to the lawyers of Mississippi.

REPORT OF STUDY COMMITTEE

Your Study Committee met three times during this fiscal year, and at each meeting there were several members of the committee present. The committee, as a whole and through sub-committees, has examined many proposals made to the committee by members of the Bar and by members of the committee. The members of the committee and others have prepared drafts of proposed bills and recommended legislation.

Your committee is pleased to report that the 1960 session of the Legislature enacted and the Governor approved the following bills which the State Bar recommended at its 1959 convention: (1) H.B. 619, to vest chancery court with additional jurisdiction to entertain suits for custody and support of minor children; (2) H.B. 620, providing that *ex parte* petitions for partition may be heard in vacation; (3) H.B. 620, providing fees for commissioners, referees, etc.; (4) H.B. 668, providing for mental examination of certain persons charged with crime; (5) S.B. 1873, amending Code Sec. 875 to clarify statute of limitations on installment notes; (6) S.B. 1526, providing sheriff and tax collector may back assess property for ad valorem taxes for no longer period than seven years.

The Study Committee gratefully acknowledges the excellent work of the members of the Legislative Committee, with N. W. Overstreet, Jr. and Robert C. Cannada as co-chairmen, in obtaining passage of these and other bills recommended by the State Bar.

The committee recommends to the convention of the Mississippi State Bar of 1960 the following bills for its approval and submission to the Legislature.

ITEM I. An act to amend Section 1325 of the Mississippi Code of 1942, Recompiled, so as to limit the period of time within which deraignment of title must be shown in bills to confirm title to real estate or to cancel and remove clouds therefrom.

ITEM II. An act to establish grounds and statutory procedure for adjudication and annulment of marriages.

ITEM III. An act to remove the requirement that charters of corporations organized for profit be published, and require that notice of incorporation be given after organization.

ITEM IV. An act amending Section 307, Mississippi Code of 1942, and to enumerate property which shall be exempt from execution of attachment.

ITEM V. An act amending Section 383 of the Mississippi Code of 1942, so as to abolish preliminary proceedings before the Justice of the Peace in bastardy proceedings.

ITEM VI. An act to empower the Chancery Court to issue writs ancillary to its jurisdiction which are available in a court of law for the seizure of property.

ITEM VII. An act to make it a felony for any person to willfully take, steal and carry away any domestic animal over the value of twenty-five dollars, and to repeal Section 2243 of the Mississippi Code of 1942, Recompiled.

Your committee further recommends that the legislation approved by the Mississippi State Bar at its June, 1959 convention and not favorably acted upon by the 1960 session of the Legislature be again approved and resubmitted to the next session of the Legislature. These bills are as follows:

ITEM VIII. An act to amend Section 1876, Mississippi Code of 1942, so as to provide additional methods of serving notice in legal proceedings.

ITEM IX. An act to amend Sections 1519 (as amended by Chapter 229, Laws of 1948) and Section 1848, Mississippi Code of 1942, to provide for the settlement of pleadings, and entry of judgment in vacation and to provide for the contents and form of summons issued in actions in circuit courts.

ITEM X. An act to amend Section 417, Mississippi Code of 1942, empowering guardian to create, extend or renew encumbrances of estate.

ITEM XI. An act to create a Judicial Council of Mississippi to establish its powers and duties; to prescribe a method for selecting its membership; and for related purposes.

ITEM XII. An act to amend Section 1391, Mississippi Code of 1942, so as to provide that decrees against non-resident, absent, or unknown defendants, rendered upon proof of publication only, shall be final and conclusive from date of rendition, unless a rehearing shall be applied for within one year thereafter, or within ninety (90) days if the defendant is served with a copy of said decree within six (6) months of the date of the rendition of said decree and providing for method of serving said notice.

ITEM XIII. An act to amend Section 2441, Mississippi Code of 1942, to provide for service of a copy of the indictment on the person indicted.

ITEM XIV. An act to provide Chancery Court with jurisdiction of proceedings in certain cases, define powers of the Court and to fix venue.

ITEM XV. An act to prescribe a method of reviewing determinations of administrative agencies.

ITEM XVI. An act to amend Section 1296, Mississippi Code of 1942, so as to allow defendant to bring in new parties as cross defendants within the discretion of the Court.

ITEM XVII. An act to establish procedure for pre-trial conference in certain courts.

REPORT OF THE COMMITTEE ON TAXATION

The Committe on Taxation for the year 1958-1959 was reappointed by President Hugh N. Clayton for the year 1959-1960 in order to carry out programs which had begun as a result of reorganization of the Taxation Committee.

Subcommittee "A", Special Liaison Tax Committee, was represented at the annual convention in Atlanta, Georgia, by Meredith Wood and Warren V. Ludlam from the Mississippi Bar. A report has been made on procedures and policies at a general meeting of the Taxation Committee. A motion was passed recommending to the Commissioners that expense allowance be increased to provide for more than one delegate to attend the annual convention in Atlanta. Honorable Warren V. Ludlam was elected Secretary-Treasurer of the Special Liaison Tax Committee for the Southeastern Region at the Atlanta Convention.

Subcommittee "B", National Conference of Lawyers and Certified Public Accountants, submitted a special report on unauthorized practice by accountants and others at the annual meeting of the full Committee on Taxation April 20, 1960. A motion was passed with recommendations to the president and commissioners concerning encroachment by accountants and others in the practice of law in the field of taxation through representing clients before the State Tax Commission and other bodies other than as witness or in the presentation of facts. A delegation from the Committee on Taxation was made available to meet with the commissioners prior to the convention for further consideration of practice encroachment and to arrive at a clear statement of policy to be taken up with representatives of the Mississippi Society of Certified Public Accountants.

Subcommittee "C", Special Programs. Speakers have been available for bar meetings and educational meetings and have appeared on various programs concerning the status of the attorney in connection with the practice of tax law especially concerning estate planning, preparation of wills, trusts, transfers of property and the role of the attorney in the handling of tax fraud cases. Representatives of this committee appeared on the panel on taxation at the annual Mississippi Bar Convention.

Recommendations have been made for members of the bar to acquaint the Chairman of the Committee on Taxation if they desire membership on the Committee on Taxation and it is requested that they express their wish as to the subcommittee they would like to serve on.

COMMITTEE REPORTS — JUNIOR BAR SECTION

REPORT OF THE ACTIVITIES COMMITTEE

Your Activities Committee has been in existence and has functioned two years at the time of this report. Your committee feels very keenly its responsibilities of making sure that every newly admitted lawyer is adequately appraised of the opportunities, privileges and duties he has and owes the Junior Bar. Your committee reports that an earnest effort was made to contact each graduating member of the University of Mississippi Law School and every successful applicant of the Mississippi State Bar examinations, in an effort to fulfill one of its more important functions of encouraging the physical attendance at the annual convention.

Your committee reports that if each individual of the four groups of lawyers that come within the Junior Bar each year is to be personally contacted that the following recommendations and suggestions should be adopted and therefore makes the following recommendations.

1. That the Activities Committee Chairman be appointed by July 1st of each year.
2. That at least one member of the committee be appointed from Oxford and one member from Jackson.
3. That a brief welcoming be made by a member of the Junior Bar in some official capacity at each graduation from Ole Miss and at each Bar examination in Jackson.
4. That a follow-up personal contact be made each spring before the Convention.

REPORT OF THE BYLAWS COMMITTEE

This committee, with the assistance of Mrs. Alice Nevels, Secretary of the Mississippi State Bar, has during the 1959-60 Junior Bar Section fiscal year compiled and distributed to all members of the Junior Bar Section mimeographed copies of the Bylaws, as amended and revised from time to time.

The committee has received no suggestions for amending the Bylaws at this time.

Having duly considered the advisability of recommending changes in the Bylaws and having ascertained no provisions needful of changes at this time, this committee offers no recommendations for amendments to said Bylaws at this time.

REPORT OF THE LAW DAY U.S.A. COMMITTEE

The Law Day U.S.A. Committee of the Junior Bar Section of the Mississippi State Bar met with the chairmen of the Law Day Committee from the State Bar Association in Natchez, Mississippi, on March 11, 1960, to make final plans for conducting the Law Day program throughout the state. At this meeting certain responsibilities were assigned to the Vice-Chairmen of the Junior Bar Section and to the Chairman from the State Bar.

On a statewide basis Governor Ross Barnett issued a proclamation proclaiming May 1, 1960, as Law Day U. S. A. and appropriate ceremonies were held at the time of the signing of the proclamation. Pictures and news releases of this exercise were carried by the Jackson papers.

Our reports indicate that chairmen were appointed in many of the communities throughout the state and programs of various types were held in most of these communities. These programs included proclamations by the mayors, editorials in newspapers, news releases on radio and television stations, speeches before high school groups and civic clubs by lawyers or judges, special exercises in court rooms, special meetings of local bar associations with guest speakers and mention of Law Day U.S.A. by ministers on Sunday, May 1st.

The Committee feels that progress was made during this first year of statewide observance of Law Day U. S. A. as evidenced by the above and by the fact that many more of our communities and citizens are now aware of our program.

The Committee feels that the Junior Bar Section should assume full responsibility for carrying out the program. That should the Bar Association desire to appoint a committee that such committee act only in an advisory capacity to the Junior Bar Section Committee or, in the alternative, that the Committee of the Bar Association should consist principally of members from the Junior Bar Section.

Also, the Committee feels that we must depend mainly on our local chairmen in the communities to carry out the observance of the Law Day U.S.A. program. Further, that our Committee should be appointed soon enough to allow adequate publicity to

go to local bar groups and communities where there is no organized bar group so that more local chairmen will be appointed.

Also, the Committee might consider the possibility of conducting a program for all local chairmen prior to Law Day U. S. A. to afford an opportunity for local chairmen to exchange ideas and in some manner to co-ordinate their plans for state-wide observance of Law Day U.S.A.

Again, the Committee feels that this is a type of program in which the Junior Bar members are best suited to carry out the work involved and therefore request that if the President of the State Bar Association again appoints a Law Day committee, that members from the Junior Bar Section be appointed to this committee. Further, we request that members of the Junior Bar Section serve as local chairmen for the observance of Law Day U. S. A. so that more of us can make a contribution to the Bar Association and our profession.

REPORT ON LEGAL AID, INC.

Legal Aid Report Of Cases For The Period January 1, 1959 — December 31, 1959

A.	Cases Of Legal Aid Service:		
	1. New cases opened for service	297	
	2. Previous cases re-opened for additional services	44	341
B.	Service Rendered On Cases:		
	1. Cases handled involving court action	80	
	2. Cases involving consultation only	76	
	3. Cases requiring correspondence only	50	
	4. Cases referred to social agencies	6	
	5. Cases involving consultation and referral to private attorneys to be handled on a fee basis	26	
	6. Cases involving criminal matters referred to County Attorney	3	341

The cases handled by the Legal Aid Office involved economic problems, domestic problems, property, alcoholism and drug addiction.

No case was handled by the Legal Aid Office until first checking and definitely determining that the client was destitute and unable to pay an attorney's fee, since one of the requirements of eligibility for legal aid assistance is the fact that the client must be destitute and unable to pay for the legal services rendered by this office.

During the period of January 1, 1960 through May 31, 1960, a total of 113 cases have been handled through the local Legal Aid Office.

REPORT OF THE LEGISLATIVE COMMITTEE

In cooperation with the Legislative Committee of the Mississippi State Bar, the Junior Bar Section Legislative Committee assisted in the passage of nine bills receiving Bar Association recommendation. These were:

House Bill 206, providing for an increase in State Bar dues from $10.00 to $20.00 which will provide the Bar Association with almost $20,000.00 in additional operating funds annually.

House Bill 207 which increased the fee collected from non-resident attorneys admitted to practice in this state from $10.00 to $20.00.

House Bill 208 which increased the fee charged applicants taking the State Bar examination from $25.00 to $50.00.

House Bill 619 which vests the Chancery Court with additional jurisdiction to entertain suits for custody and support of minor children.

House Bill 620, providing that *ex parte* petitions for partition of property may be heard in vacation.

House Bill 621, providing for the fixing in vacation of fees for commisioners, referees and similar officers.

House Bill 668, providing for a mental examination of certain persons charged with a crime.

House Bill 676, providing for an increase in the salaries of the Judges of the Supreme Court of Mississippi.

Senate Bill 1873, clarifying the Statute of Limitations applicable to installment notes.

The Legislature considered but did not pass: House Bill 617 providing for service of a copy of the indictment on persons indicted; House Bill 618, providing for additional methods of serving notice in legal proceedings; and House Bill 405, pertaining to pre-trial conferences.

Many members of the Junior Bar Association aided the legislative program of this section immeasurably by their endorsement and support of these bills through their local Representatives and Senators, but principally, the success of the committee's work was due to the cooperation and understanding received from those members of the Junior and Senior Bar sections serving in the Legislature, together with the interest and support in this legislature program which emanated from the Governor's office.

REPORT OF MISSISSIPPI LAW INSTITUTE COMMITTEE

The Fourteenth Annual Mississippi Law Institute was held at the King Edward Hotel on December 4th and 5th, 1959. The Institute featured the Law-Science Institute of "Medicolegal Aspects of Injuries to Head, Face and Neck" conducted by the Law-Science Academy of America with the cooperation of the Law-Science Foundation of America and under the immediate direction of Dr. Hubert Winston Smith. This program represented a departure from precedent with regard to registration fee. However, it was well attended and it is generally felt that it was a highly successful Institute. It brought together outstanding attorneys and physicians who cooperated in presenting a very outstanding program.

The Mississippi Law Institute Committee has nothing at this time to report as to the program for the Fifteenth Annual Law Institute, but promises to exert every possible effort to bring to the Bar an outstanding program.

REPORT OF THE TRAFFIC COURT CONFERENCE COMMITTEE

This is a report from the first Mississippi Traffic Court Conference held March 2-4, 1960 at Millsaps College in the Student Union Building. The School of Law of the University of Mississippi co-sponsored the conference in cooperation with the American Bar Association, Traffic Court Conference and the Traffic Institute of Northwestern University.

Fifty-five persons attended the conference including Traffic Judges, prosecutors, police officers and court officials. Several Mississippi lawyers had part on the program.

Committeemen included Jim Noble, president of the Junior Bar Section, Mississippi State Bar, Mr. G. Garland Lyell, Jr., Mr. Jack Travis, Mr. James Spencer and Mr. K. Hayes Callicutt.

Attending the Institute from the American Bar Association was Mr. James P. Economos. Judge Edward C. Fisher represented the Northwestern University Traffic Institute. Also in attendance was Mr. Paul Bryant of Memphis, Tennessee, representing the ABA and Mr. Hudson Hamm from Chicago representing Northwestern University. Dean Robert J. Farley presented certificates to those persons attending.

Six sponsors joined in the conference to help with the finances.

Our recommendations are that another traffic court conference be sponsored by the Junior Bar Section next year. We now see quite a bit of interest that we did not have when we started with the conference.

REPORT OF THE YOUNG LAWYERS' SEMINAR COMMITTEE

The Young Lawyers' Seminar Committee, Junior Bar Section, Mississippi State Bar, is pleased to report that it successfully held the Second Annual Young Lawyers' Seminar, September 3, 4, and 5, 1959, at Millsaps College, Jackson, Mississippi. An excellent curriculum was presented to those attending. The curriculum contained the following:

1. Mechanics of the Courts, Thursday, September 3, 8:00 a.m. to 12:00 noon, instructor Mr. Curtis E. Coker, Young, Daniel & Coker, Attorneys, Jackson, Mississippi.

2. Wills and Estates, Thursday, September 3, 1:00 p.m. to 5:00 p.m., instructor Mr. Tom Leslie Darden, Smallwood, Darden & Sumners, Attorneys, New Albany, Mississippi.

3. Accounts Collection, Friday, September 4, 8:00 a.m. to 10:00 a.m., instructor Mr. Robert W. King, Attorney at Law, Jackson, Mississippi.

4. Workmen's Compensation, Friday, September 4, 10:00 a.m. to 12:00 noon, instructor Mr. Vardaman S. Dunn, Attorney at Law, Jackson, Mississippi.

5. Negligence Actions, Friday, September 4, 1:00 p.m. to 5:00 p.m., instructor Mr. Joshua M. Morse, III, Morse and Morse, Attorneys, Poplarville, Mississippi.

6. Domestic Relations, Saturday, September 5, 8:00 a.m. to 10:00 a.m., instructor Mr. A. F. Summer, Attorney at Law, Jackson, Mississippi (then Chancellor of Hinds County Chancery Court).

7. Abstracts and Titles, Saturday, September 5, 10:00 a.m. to 12:00 noon, instructor Mr. Robert Barber, Jr., Mississippi Abstract Title and Guaranty Company, Gulfport, Mississippi.

8. Defense of Criminal Actions, Saturday, September 5, 1:00 p.m. to 3:00 p.m., instructor Mr. Jesse Boyce Holleman, District Attorney, Wiggins, Mississippi.

The above instuctors presented a brilliant program for the young lawyer. They sacrificed their time, money and experience in the furtherance of the Young Lawyers' Seminar and paid for their own meals and hotel expenses in connection with their trip to Jackson to deliver the necessary instruction.

The Second Annual Young Lawyers' Seminar was given ample publicity through newspaper releases, photographs, and news stories appearing in the various newspapers, literature and letters distributed to each new member of the Bar Association eligible to attend the meeting through the United States mail, and otherwise. Although there were eighty-five eligible new members of the Bar Association who could attend the Second Annual Young Lawyers' Seminar, only ten actually matriculated and paid the necessary fee, $25.00. An investigation has been made by your Committee and it has been determined that the facilities available and extended through the courtesy of the Millsaps College, Jackson, Mississippi, are excellent. Further, as can be seen from the above, the curriculum and instructors are unexcelled. It has been determined that to a young lawyer just entering the practice the $25.00 matriculation fee is excessive.

It has been further determined that the administrative expense connected with the publication and dissemination of the brochures and letters of invitation to the eligible new members of the Bar will not exceed $250.00. Therefore, it is the recommendation of your Committee that the Junior Bar Section accept the responsibilty of paying for the necessary administrative expense attendant to the holding of a Young Lawyers' Seminar here in Mississippi. It is the definite belief of your Committee that such a seminar will be widely accepted by those eligible to attend and that the Bar Association will be thereby enhanced.

It is submitted that if men of the caliber of those mentioned above as instructors are willing to donate their time, efforts and money at no expense to the Bar Association in the furtherance of this program, the Junior Bar Section should undertake the necessary expense attendant to the staging of the Young Lawyers' Seminar so that more young lawyers can attend and enjoy the benefits available.

APPENDIX B

DIRECTORY

MISSISSIPPI STATE BAR

AUGUST 1960

ABERDEEN

Richard B. Booth
Harrison Bldg.
Claude A. Chamberlain
Box 532
Jesse M. Coleman
D. W. Houston, Jr.
Watkins Bldg.
George W. Howell, Jr.
McDuffie Bldg.
Box 476
Robert D. Patterson
Box 136
Ralph E. Pogue
Lyonel Thomas Senter, Jr.
301 W. Commerce St.
Johnny N. Tackett
Box 157
John S. Therrell, Jr.
Box 424
William S. Turner
Box 386

ACKERMAN

Jack B. Carlisle
J. P. Coleman
William Dewitt Coleman
James Dennis Dobbs

AMORY

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J. O. Prude, III
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Jack N. Thomas
Box 267
Fred P. Wright
Griffin Bldg.

ASHLAND

J. Marvin Crawford
Anthony T. Farese
John B. Farese
L. Hamer McKenzie

BALDWYN

Judge Allen Cox
W. H. Cox
Box 353
M. Paul Haynes

BATESVILLE

Dennis M. Baker
Charles Clifton Finch
Box 86
Hill Jarratt
D. R. Johnson
Box 288
Robert T. Riser
Arnold R. Smythe
Ralph O. White
Box 86

BAY ST. LOUIS

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Evelyn Hunt Conner
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Sam Leroy Favre
Box 323
R. L. Genin
Genin Bldg.
Gerald C. Gex
Merchants Bank Bldg.
Lucien M. Gex
Merchants Bank & Trust Co. Bldg.
Michael D. Haas
Box 304
Edward I. Jones
Box 15
Cornelius Joseph Ladner
Box 412
Ivey E. Peebles
Route 2, Box 130-B
Walter J. Phillips
Merchants Bank & Trust Co. Bldg.
Dan M. Russell, Jr.

BAY SPRINGS

William Harrison Alexander
Charles R. Mayfield Jr.
Box 251
J. A. McFarland, Jr.
Robert H. McFarland
Marvin O. Oates
Box 25
O. M. Oates
Box 25
Roy L. Osborne
J. L. Thompson
J. E. Ulmer, Jr.
Box 1

BELMONT

L. P. Allen, Jr.

BELZONI

James T. Bridges
Box 322
V. B. Montgomery
Box 277
Paul B. Murphy
187 Lee St.
L. G. North
Irby Turner, Jr.
Hugh R. Varnado
Box 277
Lucian R. Wadlington
Box 355
W. D. Womack, Jr.
W. D. Womack, Sr.

BEULAH

Dixon Dossett

BILOXI

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George B. Cousins, Jr.
Box 382
L. H. Doty
1730 W. Beach
Judge Leslie B. Grant
Circuit Court
Daniel D. Guice
First Bank of Biloxi Bldg.
Jacob D. Guice
First Bank of Biloxi Bldg.
W. L. Guice
Box 153
Louis Hengen
215 Barq Bldg.
Clare Sekul Hornsby
Barq Bldg.
Carroll B. Ishee
Box 646
Albert S. Johnston, Jr.
Box 214
Arnaud O. Lopez
202 Barq Bldg.
James S. Love
Hotel Buena Vista
Frederick J. Mannino
Peoples Bank Bldg.
Box 92
Howard McDonnell
Barq Bldg.

Roy J. McGee
217 Porter Ave.
Newton Kelly McKoin
Drawer M M
Walter L. Nixon, Jr.
Box 541
Lyle M. Page
Box 222
Charles K. Pringle
Box 292
Victor B. Pringle
Pringle Bldg., Box 24
George Rosetti, Jr.
473 Crawford St.
Jules A. Schwan
Box 272
John Sekul
203 Barq Bldg.
Lawrence Semski
Box 552
Charles L. Todaro
1136 W. Howard Ave.
E. C. Tonsmeire, Jr.
H. Warren Tool, Jr.
Box 467
Edward G. Tremmel
Box 272
Walter J. Wadlington
Peoples Bank Bldg.
Box 2
Thomas L. Wallace
Box 552
Thomas J. Wiltz
Box 302

BLUE SPRINGS

Talmadge D. Littlejohn

BOLTON

Albert M. Graham

BOONEVILLE

William H. Brewer
Clarence Chase
Schultz Bldg.
Thomas H. Comer
Box 24
Floyd W. Cunningham
Box 168
James A. Cunningham, Sr.
J. E. Cunningham
Court Bldg.
Ellis W. Finch
Donald Franks
Eugene Burton Gifford, Jr.
James N. Godwin
Box 148
Judge Raymond T. Jarvis
Circuit Court
E. K. Windham

BRANDON

Joe Ragland Bullock
W. E. McIntyre
W. E. McIntyre, Jr.
John C. McLaurin
Robert S. McLaurin, Jr.
James Anthony Morrow, Jr.
J. C. Murray
Box 7
John C. Murray, Jr.
Box 7
J. David Williams

BROOKHAVEN

Emmette P. Allen
Bane Drug Bldg.
John Moncrief Bee
510 S. Church St.
Judge Tom P. Brady
Drawer 548
Tullius Brady
Box 115
Charles Emmette Brennan
Box 9
Michael L. Carr, Jr.
State Bank & Trust Co.
Bldg.
Buell R. Carty
Perkins Bldg.
Box 677
A. A. Cohn
Panzica Bldg.
James W. Elliott, Jr.
Box 774
George H. Gulley, Jr.
Box 317
H. W. Hobbs
Panzica Bldg.
Box 356
Henry W. Hobbs, Jr.
Box 356
R. L. Jones
State Bank & Trust Co.
Bldg.
Robert E. Jones
Drawer 831
James F. Noble, Jr.
Box 4
J. F. Noble, Sr.
Box 4
Donald B. Patterson
Miss. Power & Light Co.
Bldg.
R. Pearce Phillips
Storm Bldg.
Owen Roberts
Brady Bldg.
R. E. Stratton, III
State Bank & Trust Co.
Bldg.
Terry S. Swalm
Swalm Bldg.
Hugh V. Wall
State Bank & Trust Co.
Bldg.
J. Meredith Wood
Box 129

BRUCE

Jesse Lee Yancy, Jr.
Box 62

CALHOUN CITY

William Walter Brown
Box 146
W. J. Evans
Paul M. Moore

CAMDEN

Edgar Lee Walker

CANTON

James Paul Arbuthnot
James A. Butchart
136 N. Liberty St.
James M. Cain
Wells Bldg.
S. Robert Cain, Jr.
William Sterling Cain
George Milton Case
128 N. Liberty St.
Nelson R. Cauthen
Hermon Dean
Henry Nolen Fancher
Box 281
Joe R. Fancher, Jr.
Box 281
J. M. Greaves
Box 128
G. B. Herring
First Nat'l Bank Bldg.
Box 344
Josephine Hood
D. C. McCool
Box 172
Percy F. Parker
Levy Bldg.
Robert H. Powell, Jr.
Box 245
Tip Ray
L. G. Spivey
J. Collins Wohner

CARRIERE

M. G. Blackwell

CARROLLTON

Maurice R. Black

CARTHAGE

Joe Paschal Barnett
Judge O. H. Barnett
Circuit Court
Tom J. Barnett
Harold W. Davidson
Earl L. Grimes
J. O. Hollis
J. E. Smith
Box 387
A. M. Warwick
A. R. Wright, Jr.
Box 424

CHARLESTON

James A. Blount
J. H. Caldwell, Jr.
Drawer 112
George P. Cossar
George Payne Cossar, Jr.
Albert D. Whitten
Box 28

CLARKSDALE

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E. Cage Brewer, Jr.
Box 306
V. J. Brocato
Box 509
Rodney Brooks
Coahoma County Bank Bldg.
Martin D. Cook
202 Coahoma County Bank Bldg.
John W. Crisler
219-20 McWilliams Bldg.
Chester Harris Curtis
Box 368
Louis A. Demos
111 LeFlore St.
Jack F. Dunbar
McWilliams Bldg.
Pascal D. Holcomb
Box 368
Joe W. Hopkins
Box 382
R. H. Kirby
Stovall Lowrey
Coahoma County Bank Bldg.
Semmes Luckett
121 Yazoo Avenue
William O. Luckett
Box 306
Sidney Allen May
1519 Linden Place
G. F. Maynard, Jr.
Drawer 480
William H. Maynard
Drawer 480
Leighton S. Miller
Box 715
Thomas H. Pearson
516 West Second St.
Leon L. Porter, Jr.
Box 431
J. L. Prude
Box 774
J. Lake Roberson
121 Yazoo Ave.
Shed Hill Roberson
121 Yazoo Ave.
William L. Rone
917 Russwin
Harvey T. Ross
Box 339
Tom T. Ross
Box 339
Lester M. Sack
Box 626
John Charles Senour
426 West 2nd St.
Elzy J. Smith, Jr.
510-11 McWilliams Bldg.
Charles L. Sullivan
Box 371
E. F. Whittington
Box 181
Howard G. Woodward
Box 876
Judge E. M. Yerger
County Court

CLEVELAND

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112 N. Pearman St.
William B. Alexander, Jr.
112 N. Pearman St.
William H. Bizzell
Drawer 1031
H. F. Causey
Ancil L. Cox, Jr.
116 S. Court St.
C. H. Crump
Joseph C. Feduccia
112 N. Pearman Ave.
Judge Ed. H. Green
Circuit Court
Ellis Griffith
Owen Bldg.
John L. Hatcher
Joseph N. Howorth
515 S. Victoria Ave.
Lucy S. Howorth
515 S. Victoria Ave.
Robert Milton Hytken
Box 367
Judge Robert E. Jackson
Chancellor
Charles C. Jacobs, Jr.
W. D. Jones
108 N. Pearman
Alfred A. Levingston
Drawer 1031
Ben Ferrell Mitchell
Somerville Bldg.
Benjamin T. Mitchell
Box 552
Dana C. Moore, Jr.
William E. O'Hare
Box 630
Harvey Blanton Ray
c/o Alexander, Feduccia & Alexander
Albert Benjamin Smith, Jr.
Owen Bldg.
John T. Smith
Box 630
Abe D. Somerville
Box 387
A. B. Sparkman
Carmon E. Valentine
127 South Court St.
John White Valentine
127 South Court St.
Frank O. Wynne, Jr.

CLINTON

James V. Carr
Box 114
Corwin G. Muse, Jr.
Clinton Savings & Loan Bldg.
Cecil A. Rogers
311 N. Jefferson
Royce L. White
Box 534
R. P. White, Jr.
805 E. Leake
Gladstone E. Williams
Box 176

COFFEEVILLE

J. P. Stone

COLLINS

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E. L. Dent
W. W. Dent
J. D. Kervin, Jr.
John K. Keyes
Hugh McIntosh, Jr.
Bonnie Smith

COLUMBIA

Vernon H. Broom
203 Newsom Bldg.
Walter Earl Bullock
Bernard Callender
210-12 Newsom Bldg.
James Seaborn Dale, Jr.
Watts Bldg.
Box 603
R. H. Dale
Box 623
Judge Sebe Dale
Circuit Court
Maurice Dantin
310 Newsom Bldg.
James R. Davis
Box 222
Ernest R. Duff
216 Newsom Bldg.
Roy J. Goss
210-11 Newsom Bldg.
Toxey Hall
310-12 Newsom Bldg.
Kelly J. Hammond
Box 569
Michael H. Lawless
Newsom Bldg.
Henry Mounger
Suite 216, Newsom Bldg.
Henry E. Pope
Box 569

Ben Mounger Rawls
H. Phillip Singley
309 Newsom Bldg.

COLUMBUS

William Ellis Bearden, Jr.
518½ Second Ave., N.
William G. Burgin, Jr.
516 Second Ave., N.
Richard Henderson Carlisle
Second Ave., N.
H. T. Carter
522 2nd Ave., N.
Charles L. Garnett
Box 1001
Hunter M. Gholson
516 N. 2nd Ave.
Dewitt T. Hicks, Jr.
215 Fifth St., N.
John H. Holloman
512 2nd Ave., N.
W. H. Jolly
514 2nd Ave., N.
T. W. Lewis, Jr.
Box 152
George L. Lucas
519 North 2nd Ave.
John Paul Moore
710 Military Road
Ben L. Owen
Box 1001
Jacob C. Pongetti
207 5th St., N.
J. O. Sams
514 2nd Ave., N.
Joe O. Sams, Jr.
Box 304
George W. Schweizer
Box 166
John F. S. Sims
1124 N. 11th St.
W. L. Sims
1124 N. 11th St.
Douglas Clyde Stone
Commerical Dispatch Bldg.
R. C. Stovall
Box 591
W. J. Threadgill
215 Fifth St., N.
Henry K. Van Every
Box 981
Robin Weaver
Box 1003
David J. Whitaker
218 N. 5th St.

COMO

Henry N. Shaheen

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W. C. Adams
H. A. Hopper
Frank K. Hughes
715 Foote St.
Joe B. Mitchell
James E. Price, Jr.
Box 866
H. M. Ray
Box 907
William L. Sharp
Box 844
Robert L. Shirley
1403 Magnolia Road
William E. Skelton, Jr.
1804 Bunch St.
Orma R. Smith
National Bank of Commerce
Orma R. Smith. Jr.
Carey Stovall
201 Chambers-Liddon Bldg.
N. S. Sweat
N. S. Sweat. Jr.
W. C. Sweat, Jr.
B. F. Worsham
Box 146

CRYSTAL SPRINGS

J. Harold Graham, Jr.
Box 287
Donald Weed
Box 30

DECATUR

R. H. Day
James B. Everett
Benton R. Gordon
Marcus D. Gordon
William H. Johnson, Jr.
Box 55

DEKALB

J. H. Daws
J. T. McCully
Box 1456
Helen J. McDade
Box 1562
Louise P. Spinks
Box 1476

DREW

O. M. Marsalis
Pascal J. Townsend, Jr.
Merchants & Planters Bank Bldg.

DUNCAN

Glover A. Russell

DURANT

Carl F. Drake
Calvin R. King
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James A. White

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John M. Kendrick

ELLISVILLE

W. D. Carmichael
Glender Dennis
Cecil G. Johnson
Box 403
L. K. Saul
Courthouse

ETHEL

Marvin Burchfield
Route 1

EUPORA

J. E. Eudy
Allen Gardner
W. D. Gary
Walter B. Meek
Judge R. P. Sugg
Chancellor

FAYETTE

Harry L. Corban
R. L. Corban, Jr.
Carroll J. McLaurin
James M. Walker
Box 36

FOREST

T. Marx Huff
Drawer 179
William A. Huff
Drawer 179
Osborn Guyton Idom
James Walter Lee
Box 115
Roy Noble Lee
Howard B. McCrory, Jr.
F. F. Mize
Palace Theatre Bldg.
R. L. Nichols
Drawer 179
Roby L. Stegall
William Carl Thompson
O. B. Triplett, Jr.
Box 247

FOXWORTH

Mrs. Uhl Poole Fornea
Box 314

FULTON

J. H. Brown
William Herman Camp
A. T. Cleveland
W. L. Elledge
Percy A. Martin
Box 91
Malcolm T. Yawn

GLOSTER

Fred A. Anderson, Jr.
Walker Jean Carney, Jr.

J. T. Lowrey
Amite Co. Bank Bldg.
Joe Upton

GREENVILLE

Nathan P. Adams, Jr.
Weinberg Bldg.
Joseph W. Biggers
Box 528
Edward J. Bogen
Weinberg Bldg.
Roy D. Campbell
Drawer 663
George L. Cottingham, Jr.
Greenville Buick-Pontiac Co.
Box 655
Ralph D. Davison
Wynn, Hafter, Lake & Tindall
Fountain D. Dawson
Leyser Bldg.
Box 1151
Anse Dees
Box 1168
Fred C. Delong, Jr.
Box 663
W. S. Dickson
U. S. F. & G.
Howard Dyer, Jr.
326 Weinberg Bldg.
Holland O. Felts
Box 1098
Jerome S. Hafter
429 Weinberg Bldg.
Emmet Harty
205-08 Weinberg Bldg.
W. C. Keady
Box 895
Ernest Kellner. Jr.
May Bldg.
Raymond V. Kimble, Jr.
205-08 Weinberg Bldg.
J. A. Lake, Jr.
429-32 Weinberg Bldg.
Robert Hart Lake, Jr.
124 S. Poplar St.
Robert T. Love
Box 1354
Philip Mansour
Woolworth Bldg.
W. M. McGough
Weinberg Bldg.
W. L. McIlwain
Box 558
Horace L. Merideth, Jr.
Box 625
H. A. Miller
Box 8
Julian David Orlansky
403-04 Weinberg Bldg.
S. Ira Pittman
405-10 Weinberg Bldg.
Judge Zelma W. Price
Box 78
Tony P. Provenza
Box 607
Eugene J. Raphael
Woolworth Bldg.
James Robertshaw
Weinberg Bldg.
Box 24
George Ramsey Russell
Weinberg Bldg.
Laurance J. Sievers
418 Weinberg Bldg.
George H. Slade
125 W. Walker St.
Earl Solomon
Weinberg Bldg.
E. B. Taylor
Leyser Bldg.
Box 528
Judge S. B. Thomas
Chancellor
William Thomas, Jr.
948 Arnold Ave.
W. Scott Thompson
211-12 Weinberg Bldg.
Charles S. Tindall, Jr.
429 Weinberg Bldg.
Charles W. Wade
Leyser Bldg.
John C. Webb
216 Weinberg Bldg.
Burwell B. Wilkes
Suite 411, Weinberg Bldg.
Joseph E. Wroten
201 & 203 Woolworth Bldg.
Douglas C. Wynn
429 Weinberg Bldg.

GREENWOOD

Edward J. Antoon
Box 417
A. H. Bell
Drawer 657
William H. Braden
903 Grand Blvd.
Norman C. Brewer
Box 411
J. G. Colson
Box 364
Charles Milton Deaton
Market St.
Gray Evans
Box 411
John J. Fraiser, Jr.
Whittington Bldg.
W. M. Hamner
Old Bank of Leflore Bldg.
Willie J. Heckler
1107 Mississippi Ave.
William F. Jones
111 Beatrice
Arthur Jordan
O. L. Kimbrough
Box 516
Hardy Lott
Aven Bldg.
R. Cunliffe McBee
Drawer 657
George Hite McLean
Box 516
Pearl McLellan
Box 54
300 Lamar St.
Paul D. Montjoy
Box 921
W. H. Montjoy
Box 906
Yerger Morehead
Whittington Bldg.
Frank K. Odom
Box 674
H. Talbot Odom
Box 674
Porter W. Peteet
Whittington Bldg.
James M. Pierce
c/o Staple Corp.
Discount Corp.
W. Market St.
M. F. Pierce
Wright Bldg.
James C. Pittman, Jr.
Box 674
Judge Charles Pollard
Old Bank of Leflore Bldg.
J. Stanny Sanders
Aven Bldg.
Gordon L. Smith
804 Bell Ave.
Richard L. Smith
Box 246
Harold C. Streibich
Box 241
Seth Wheatley, Jr.
Box 389
W. M. Whittington, Jr.
Box 941
William M. Whittington
Fred Witty
Box 912

GRENADA

Thomas A. Bell
Box 901
A. M. Carothers
Grenada Bank Bldg.
Jim McRae Criss
117 First St.
Jack M. Dubard
Bradford J. Dye
Box 917
Bradford J. Dye, Jr.
Box 917
William H. Fedric
Grenada Bank Bldg.
Jay Gore, Jr.
Box 901
John Toliver Keeton
William A. Lomax
Grenada Bank Bldg.
Mitchell M. Lundy
11 Evans Bldg.

Marshall Perry
Evans Bldg.
Leon E. Provine
Box 147
William O. Semmes
Box 240
William F. Winter
Box 738

GULFPORT

Bidwell Adam
1607 24th Ave.
E. J. Adam, Jr.
300 Hewes Bldg.
Robert B. Adam
1607 24th Ave.
Frank W. Alexander
Box 88
Jo Drake Arrington
411 Hewes Bldg.
Harold R. Barber, Jr.
Box 1023
Thomas D. Berry, Jr.
508 Hewes Bldg.
Rae Bryant
Suite 5, Salloum Bldg.
R. R. Buntin
Box 985
Everett E. Cook
24th Ave.
Box 135
Bruce G. Cornell
3rd Flr., Hewes Bldg.
David C. Cottrell, Jr.
Box 225
William F. Dukes
5312 Quincey Ave.
Aubert C. Dunn
5th Flr., Hewes Bldg.
James S. Eaton
Box 225
G. E. Estes, Jr.
Box 88
William Estopinal
Medical Bldg.
Jason H. Floyd
310-12 Hewes Bldg.
Box 142
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201 Hatten Bldg.
Charles R. Galloway
Box 225
John M. Gardner
1425 24th Ave.
D. M. Graham. Jr.
203 Hardy Bldg.
D. M. Graham
203 Hardy Bldg.
P. D. Greaves
Suite 308, Gulf Nat'l
Bank Bldg.
Gaston H. Hewes
Gaston Bldg.
Judge William G. Hewes
Chancellor
Viola J. Hilbert
Hewes Bldg.
A. C. Hutto
Box 312
Charles E. Kennedy
310 Fisher Bldg.
Eaton A. Lang, Jr.
Box 225
Edward M. Lindsey
Box 524
English Lindsey
Hewes Bldg.
Ewart G. Lindsey
William E. Logan
Hatten Building
Judge Luther W. Maples
26th Ave.
Ernest G. Martin, Jr.
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Hewes Bldg.
Judge Sidney C. Mize
Federal Court
Webb M. Mize
310 Gulf Nat'l Bank Bldg.
George E. Morse
Hatten Bldg.
Nancy Wood Morse
Hatten Bldg.
Stanford E. Morse
Hatten Bldg.
Stanford E. Morse, Jr.
Hatten Bldg.
George F. Murrell
Box 4
Sherman Lewis Muths, Jr.
2300 14th St.
Guy Nichols
20 Jo Fran Bldg.
H. G. O'Connor
4512 Jefferson Ave.
William R. Owings
Box 711
Owen T. Palmer, Jr.
2209 14th
Clayton Rand
The Dixie Press
Thomas N. Roberts, Jr.
Box 580
Joseph C. Seaman, Jr.
No. 11 51st St.
Donald O. Simmons
Box 575
J. U. Simmons, Jr.
Box 575
Upton Sisson
Box 456
George R. Smith
Legion Bldg.
George R. Smith, Jr.
American Legion Bldg.
William Stevenson
4710 West Railroad St.
Robert L. Taylor
Box 88
Hollis C. Thompson, Jr.
Box 580
R. W. Thompson, Jr.
310 Gulf Nat'l Bank Bldg.
Jerry W. Trigg
Box 2204
Francis McRae Turner, Jr.
Miss. Power Co.
Box 289
Harry G. Walker
Box 2251
Evergreen Sta.
Knox W. Walker
1627 25th St.
Douglas Knox White
Abstract Bldg.
Neil W. White
Box 144
W. H. White
Abstract Bldg.
Marguerite L. Williams
1805 19th Ave.

HATTIESBURG

J. S. Albritton
Box 949
Lawrence Arrington
209 Carter Bldg.
Robert E. Arrington
Box 22, W. O. W. Bldg.
412½ Main St.
Bruce C. Aultman
411 Carter Bldg.
Dorrance Aultman
Box 3
B. H. Baker
Box 801
Frank David Barber
Box 1209
Stone Deavours Barefield
Citizens Bank Bldg.
Jefferson C. Bell
Box 1125
Roy A. Bennett
325 W. 4th St.
Carl E. Berry, Jr.
201-02 Michael Bldg.
J. Lee Bilberry
Box 1390
M. D. Brett
Citizens Bank
Irvin H. Buchalter
Box 506
Frank Wilson Buckley
Dept. of Journalism
Miss. Southern College
J. M. Byrd
Carter Bldg.
John A. Bruce Caldwell
Box 1390
Thomas P. Caldwell
Box 1368
Robert L. Calhoun
Box 461
Lester Clark
302 First Federal Bldg.

Dudley W. Conner
Conner Bldg
Harold B. Cubley
Box 969
Edward J. Currie, Jr.
508-10 Ross Bldg.
E. J. Currie, Sr.
Ross Bldg.
George G. Currie
Box 626
George W. Currie
Box 626
George C. Curry
Drawer 1561
Daniel W. Dabbs
Box 468
T. W. Davis, Jr.
Box 529
James K. Dukes
Box 822
Henry K. Farmer
310 Ross Bldg.
James Finch
Suite 207, Ross Bldg.
Lawrence Y. Foote
Drawer 1231
Davis T. Fortenberry
411 Carter Bldg.
Herbert R. Ginsberg
Magnolia State Bldg.
Paul E. Grady
Box 1349
Reginald A. Gray, Jr.
201 Carter Bldg.
John S. Grove
Box 1024
Wallace R. Gunn
300 Forrest St.
Box 1174
Judge Stanton A. Hall
Circuit Court
Judge William Haralson
Box 132
F. C. Hathorn, Jr.
Box 865
Rowland W. Heidelberg, Jr.
401 Ross Bldg., Box 1070
Paul H. Holmes
Box 822
Paul B. Johnson, Jr.
Lieutenant-Governor
130½ E. Pine Street
Rex Kenton Jones
211 Chevy Chase Drive
W. Arlington Jones
Suite 401-03, Carter Bldg.
A. F. Kelly
Geiger Bldg.
Carl W. Kepper
Box 251
Marie P. Kepper
Box 251
Joe R. King
304-05 Citizens Bank Bldg.
Box 227
Alvin N. London
James F. McKenzie
401 Ross Bldg.
Frank D. Montague, Jr.
201-04 Carter Bldg.
J. Martin Mooney
Carter Bldg.
Alfred Moore
111½ E. Front St.
Box 95
C. M. Morgan, Jr.
Box 1333
Forrest M. Morris, Jr.
215 E. Front St.
William H. Morrow
Box 567
William V. Murry
204 Conner Bldg.
Paul M. Newton
517 Ross Bldg.
Mildred W. Norris
Box 1209
Judge Thomas D. Ott
307 Citizens Bank Bldg.
Howard L. Patterson
Box 808
Caude F. Pittman
Box 227
Caude F. Pittman, Jr.
Box 227
Homer Pittman
Box 227
Moran M. Pope, Jr.
Box 1463
William L. Richmond
119 Front St., Box 1148
M. M. Roberts
Citizens Bank Bldg.
John Hillman Rogers
813 Crestview Dr.
Phillip Rolls
Box 1343
W. L. Shappley
Box 6
James Simrall, Jr.
411 Carter Bldg.
E. E. Staton
Box 54
Ben Stevens
316 Forrest St.
Box 1381
Joseph H. Stevens
Box 1643
Jack Stewart
Box 969
C. W. Sullivan
Box 1591
R. M. Sullivan
Box 1591
T. Harris Sullivan
Ross Bldg.
Dan Gary Sutherland
401 Ross Bldg., Box 1070
Melvin M. Thomas, Jr.
200 29th Ave.
Joe Avery Thompson
c/o Humble Oil & Refining Co.
Box 1368
J. Kearney Travis
Citizens Bank Bldg.
Drawer 590
Earle L. Wingo
Carter Bldg.
Elliott T. Wooton
308½ Twelfth Ave.
Francis T. Zachary
206 Carter Bldg.

HAZLEHURST

S. E. Allen, Jr.
Box 208
John T. Armstrong
Bank of Hazlehurst Bldg.
Mrs. E. R. Arrington
Box 347
R. O. Arrington, Jr.
Box 347
Donald C. Cooley
Box 388
Judge J. F. Guynes
Chancellor
Harris B. Henley
Box 509
W. S. Henley
Box 509
Harry O. Hoffman, Jr.
Bank of Hazlehurst Bldg.
Carroll Kemp
Wilson Bldg.
Julius L. Lotterhos, Jr.
Box 509
Lena C. Zama
Box 108

HERNANDO

Ross Lee Franks
Boyce Lee Garner
F. C. Holmes, Jr.
H. Grady Johnston
R. F. B. Logan
Joel P. Walker
Edward L. Whitten, Sr.
W. E. Wilroy
Box 5

HICKORY

W. M. Everett
Box 115
S. E. McGee

HOLLANDALE

Paul N. Nunnery
Box 333

HOLLY SPRINGS

John W. Bryant, Jr.
Fred M. Bush, Jr.
Box 377

Robert P. Crutcher
Fant & Bush
Lt. Charles N. Dean
c/o Airlie Wood
Wall Doxey, Jr.
Lester G. Fant, Jr.
Sidney L. Hurdle
First State Bank Bldg.
John Lloyd Kennedy
Doxey & Kennedy
George Rather, II
L. A. Smith. Jr.
First State Bank Bldg.
Fred E. Swaney
Van Dorn Ave.

HOUSTON

H. B. Abernethy
W. W. Brand
Box 128
Woodrow Wilson Brand, Jr.
Box 128
Jeff Busby
Box 123
Thomas B. Davis
432 S. Jackson St.
A. E. Hawkins
C. H. McCraine, Jr.

INDIANOLA

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Richard M. Allen
Billy K. Chapman
125 Augusta St.
A. B. Clark
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Judge Arthur B. Clark. Jr.
Circuit Court
Edward Lionel Cook. Jr.
Forrest G. Cooper
Masonic Bldg.
Frank O. Crosthwait, Jr.
Masonic Bldg.
Howard Q. Davis
Aaron M. Edwards
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Gordon L. Lyon
J. H. Price
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G. P. Ritchey
128 Main St.
Oscar B. Townsend
Roger Lewis Tuttle
Box 229

ITTA BENA

Cleveland Davis
Box 98
Perry W. Morton
Box 82

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Harry M. Rhine
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J. D. Finch
Cecil Lamar Sumners

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Julian P. Alexander, Jr.
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1847 Deposit Guaranty
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Box 1284
Cecile Cambre Alford
1336 Olive St.
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Box 1200
Sam S. Allred
Box 651
Lester Alvis, Jr.
3955 Berkley Dr.
Judge R. Olney Arrington
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New Capitol
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247 East Pascagoula
William A. Bacon
Box 15
Charles T. Barber
Box 1734
J. S. Barbour
Box 1818
Henry E. Barksdale
300 Lamar Life Bldg.
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Box 663
Loyd Lamar Beacham, Jr.
822 Plaza Bldg.
James A. Becker, Jr.
Box 650
John A. Bellan, Jr.
First National Bank Bldg.
William H. Bennett, Jr.
Box 56
Walter Berry
c/o Cabell Electric Co.
Box 1199
Robert A. Biggs, Jr.
Box 1370
Louis S. Bills, Jr.
All State Insurance Co.
Milner Bldg.
Richard A. Billups, Jr.
Box 1056
Alvin Binder
Box 9984
Maj. Samuel E. Birdsong, Jr.
4047 Pine Hill Drive
Walter R. Bivins
235 Cooper Road
William P. Black
425 Vardaman St.
E. L. Bond
321 Sewanee Drive
Grover L. Boone
Box 648
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Barnett Bldg.
200 S. President
M. P. Bouslog
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Jack W. Brand
Box 158
S. M. Brand
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Box 4316
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418½ E. Pearl St.
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H. M. Clark
308 First Federal Bldg.
Thurman L. Clark
4143 Carol Drive
William W. Clark
5258 Hanging Moss Rd.
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Jack H. Lucas
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Warren V. Ludlam. Jr.
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G. Garland Lyell, Jr.
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601 Plaza Bldg.
Samuel Virden Morse
846 N. President St.
W. E. Morse
602 Plaza Bldg.
Adrian E. Mullen
1746 Hillview Drive
Donald E. Mullen
2237 First Ave.
Thomas Earl Mullen
Box 2026
George S. Neal
Box 945
William H. Neely
Box 78
William T. Neeley
Box 17
A. M. Nelson
Box 1072
Alice Nevels
Secretary, Mississippi State Bar
Box 1032
Hugo Newcomb
Box 959
W. R. Newman, Jr.
Standard Life Bldg.
Robert G. Nichols, Jr.
Box 1526
Wayne L. Nix
610 Barnett Bldg.
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Box 961
M. J. Peterson
Box 4547
Rubel L. Phillips
Box 961
William R. Phillips
417 Barnett Bldg.
Robert Boyd Pickens, Jr.
Box 896
W. W. Pierce
Box 1261
860 Milner Bldg.
M. A. Pilgrim
341 Segura Ave.
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522-24 Plaza Bldg.
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701 Vincent Bldg.
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508 Medical Bldg.
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Barron C. Ricketts
306 Deposit Guaranty Bank Bldg.
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C. R. Ridgway
Box 187
William B. Ridgeway
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Jack L. Ritter
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Stone M. Smith
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Charles B. Snow
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Lee R. Spence
Box 1200
James L. Spencer
523 Plaza Bldg.
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Box 4391
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R. Horace Steele
Box 1200
Jerome B. Steen
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E. W. Stennett
412 Barnett Bldg.
Judge J. C. Stennett
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Lowell F. Stephens
Box 1200
Francis B. Stevens
Box 141
Phineas Stevens
Box 141
Colin Leroy Stockdale
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R. B. Stovall
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Anthony A. Tattis
Box 235
O. B. Taylor
Box 896
O. B. Taylor Jr.
Box 896
Rowan H. Taylor
Box 896
Swep S. Taylor, Jr.
Box 912
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Calvin L. Wells
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Erskine W. Wells
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Box 158
W. Calvin Wells, Jr.
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W. Calvin Wells, III
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404 First Federal Bldg.
John A. Welsch, Jr.
Box 1213
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625 W. Hillsdale
John M. Weston
Box 1224
John Harold White, Jr.
107 Electric Bldg.
Gene A. Wilkinson
Box 673
Frank T. Williams
Box 1172
Earl R. Wilson
1819 Deposit Guaranty Bank Bldg.
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Thomas H. Woodrow
306 Fair Court
William G. Wright
The California Co.
Standard Life Bldg.
L. A. Wyatt
311 Vincent Bldg.
William Swan Yerger
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Jack H. Young
207 Redmond Bldg.
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KEESLER AFB

Major Wilbur G. Hamlin
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KOSCIUSKO

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John F. Allen
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John Percy Allen
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David E. Crawley, Jr.
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John D. Guyton
105-07 S. Madison St.
Chatwin M. Jackson, Jr.
Box 189
John Clark Love
Alton Massey
Box 189
Ray S. Mikell
Box 249
C. E. Morgan
Merchants & Farmers Bank
126 W. Washington St.
Clarence E. Morgan, Jr.
Box 348
G. J. Thornton
Harold W. Williams
517 Lucas St.
Claude Jackson Woodward
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LAMBERT

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M. W. Boyd
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Harvey Breazeale
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